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List of issues in relation to the initial report of Croatia

Addendum

Replies of Croatia to the list of issues*

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A. Purpose and general obligations (arts. 1–4)

Purpose (art. 1)

Reply to the issues raised in paragraph 1 of the list of issues (CRPD/C/HRV/Q/1)

1. In the eight-year long period of implementing the National Strategy of Equalization of Opportunities for Persons with Disabilities 2007-2015, significant results have been achieved in the field of protecting the rights of persons with disabilities. The legal framework has been continuously advanced and we can stress the following significant legal changes for persons with disabilities: the adoption of the new Voters Register Act (2013), the new Social Welfare Act (2013), the new Family Act (2013), the new Act on the Protection of Persons with Mental Disorders (2014), amendments to the Anti-Discrimination Act (2012), the Act on a Single Expert Evaluation Body (2013), the new Act on Vocational Rehabilitation and Employment of Persons with Disabilities (2013) and the new Foster Care Act (2011).

2. The process of adopting the Act on the Croatian Sign Language and Other Systems of Communication of Deaf and Deaf-Blind Persons in the Republic of Croatia is in progress. Also, the drafting of a new act to improve the provisions of the existing Act on the Movement of Blind Persons assisted by a Guide Dog and expand the circle of beneficiaries is under way. Additionally, the drafting of bylaws in the field of education is under way in order to increase the accessibility of regular education for children with developmental difficulties.

3. Based on the Plan for Transformation and Deinstitutionalization of Social Welfare Homes and other Legal Entities Performing Social Welfare Activities in the Republic of Croatia 2014-2016 (2018), the Ministry of Social Policy and Youth adopted the Operational Plan for Deinstitutionalization and Transformation of Social Welfare Homes and other Legal Entities Performing Social Welfare Activities in the Republic of Croatia 2014-2016, implementation of which will intensify the process and ensure non-institutional forms of care for a large percentage of persons, compared to the previous period.

4. Community-based services for persons with disabilities are continuously developed and their number increased, with emphasis placed on regional uniformity which is also the objective of the Network of Social Services (2014).

5. A part of the measures defined in the National Strategy which were set with a specified deadline have been fully carried out, e.g. changes to the electoral legislation and introduction of a single expert evaluation body; however, most measures have a continuous implementation deadline and their implementation is being monitored.

6. For the purpose of public information, all annual implementation reports of the National Strategy are published on the official websites of the Ministry of Social Policy and Youth.

7. Local and regional self-government units prepare local strategies and so far 15 city strategies and 4 county strategies for persons with disabilities have been adopted, whereas certain units have already developed activities for persons with disabilities in the existing strategic/development documentation, so it is not necessary to adopt a separate strategy that would support exclusively the population of persons with disabilities. From November 2012 to September 2014, the Ministry of Social Policy and Youth in cooperation with the Oxford Policy Management, carried out the "Support to the Social Welfare Sector in the Process of Further Deinstitutionalisation of Social Services" project, with the objective of providing support to social welfare system experts with the further development and

implementation of effective and inclusive social services by enhancing the process of social planning and transformation and deinstitutionalization of social welfare homes. Before the implementation of the project was initiated, social plans were prepared in only 10 counties, whereas now they have been prepared in all counties and adopted by county boards, with Action Plans for their implementation in 2015. A Guide for the transformation of institutions was also drafted – Supplement to Common European Guidelines on the Transition from Institutional to Community-Based Care.

8. In 2015, the drafting of a new national strategy for persons with disabilities will be initiated and it will be based on the results of the existing strategy and the drafted implementation analysis of the UN Convention on the Rights of Persons with Disabilities in Croatia, as well as the gap analysis of the implementation of the UN Convention on the Rights of Persons with Disabilities – primary data analysis as the basis for interpretation and the final report. Existing measures will be modified and new measures will be developed in order to achieve an even greater implementation of the Articles of the Convention on the Rights of Persons with Disabilities in the national legislation and strategic documents.

General obligations (art. 4)

Reply to the issues raised in paragraph 2 of the list of issues

9. According to the last census in the Republic of Croatia from 2011, the Roma make up 0.40% of the total population, meaning that there are 16,975 Roma living in Croatia.

10. The Government of the Republic of Croatia adopted the *National Roma Inclusion Strategy* for the period from 2013 to 2020. The Strategy harmonizes the basic strategic documents of the Republic of Croatia for the integration of the members of the Roma national minority with the Commission Communication to the European Parliament, European Council, the European Economic and Social Committee and the Committee of the Regions on the *EU Framework for National Roma Integration Strategies* up to 2020. The Strategy is based on the provisions of international documents on human rights and the rights of national minorities to which the Republic of Croatia is a signatory. In order to define the methods of implementing the Strategy, the *Action Plan for the implementation of the Strategy* was drafted and adopted by the Government of the Republic of Croatia. The main areas of the Strategy are: education, employment, inclusion in the economic life, health protection, social welfare, spatial planning, housing and environmental protection, inclusion in the cultural and social life, associations, status regulations, anti-discrimination and assistance in realisation of rights. Within the Strategy and the related Action Plan, in the field of health protection (one of the priority politics and main fields of the Strategy), a specific objective has been defined: "Increase the availability of health services to the Roma population with emphasis on the elderly, persons with disabilities, impairments, special needs and mobile Roma groups", with a planned establishment of mechanisms to enable the availability of health services to the members of the Roma national minority, with special emphasis on marginalized and socially excluded groups through increased participation in the community. In the field of social welfare, in the framework of the general objective to "Reduce the poverty of the Roma population and improve the quality of social services and community-based services", the specific objective to "Increase the quality, availability and timeliness of social services and community-based services with special emphasis on women, children, youth, the elderly and persons with disabilities" has been established. In order to achieve this goal, the plan is to strengthen the capacities of the existing services for the provision of social services to the Roma population in areas populated by the Roma, and to marginalized Roma settlements, as well as to encourage and empower the Roma to exercise their rights. It is also planned to form mobile teams

composed of skilled workers, educated and trained mediators for the Roma people, in order to provide daily social services in Roma communities. Furthermore, pursuant to the Action Plan of the aforementioned Strategy, the Programme "Entrepreneurial Impulse 2013" was adopted to stimulate entrepreneurship and small businesses and which states that upon assessing project proposals it will be possible to obtain 30% additional points for specially stimulated groups of entrepreneurs of a more unfavourable social status (such as women entrepreneurs, persons with disabilities, members of the Roma national community, applicants from assisted areas), which increases the pass level of the project proposals of the applicants from those groups and areas. The main coordinator of the implementation of this Strategy is the Government Office for Human Rights and Rights of National Minorities of the Government of the Republic of Croatia.

Reply to the issues raised in paragraph 3 of the list of issues

11. The Act on regulatory Impact Assessment (2011) and the Regulation on Implementation of Regulatory Impact Assessment Procedure (2012) established the system of regulatory impact assessment in the Republic of Croatia and improved the system of adopting decisions and preparing regulations. The aforementioned regulations gave all relevant and interested stakeholders the right to participate in the regulation adoption procedure. All public authorities competent to draft acts and bylaws shall publish drafts of acts and other regulations, i.e. perform the consultation procedure with the interested public. Also, after the consultation is completed, the authorities shall inform the interested public via their website on accepted and rejected remarks and proposals. This enables the interested public, including the representatives of associations of persons with disabilities, as well as the persons with disabilities themselves, to affect the policies of the Government of the Republic of Croatia with their knowledge, experience and expertise, in the name of groups and interests that they represent.

12. The Commission of the Government of the Republic of Croatia for Persons with Disabilities delivered to the state administration bodies, as the competent authorities for drafting regulations, a recommendation on the inclusion of persons with disabilities in work groups for drafting regulation proposals, or in earlier phases of regulation adoption. All state administration bodies have been asked to include as many representatives of children with developmental difficulties/persons with disabilities in the regulation adoption processes concerning them, and appoint them as members of work groups because their knowledge and contribution are of critical importance, with the goal of creating legislation of the highest quality. Active participation in the work of various work groups formed in state administration bodies competent for drafting regulation proposals creates direct contacts with the representatives of disability associations and thus obtains current information on the problems of that population.

13. We would also like to emphasize the role of the Council for the Development of Civil Society as the advisory body of the Government of the Republic of Croatia for the development of cooperation of the Government of the Republic of Croatia and civil society organisations in the Republic of Croatia and, among others, it has the authority to inform the Government of the Republic of Croatia on regulation drafts referring to the development of civil society and to propose priorities for financing non-governmental organisations' programmes and projects. The Commission also has among its members (a total of 29 members) representatives of the associations that care for persons with disabilities.

14. In order to promote examples of positive practice, state administration bodies use disability associations' promotional and informative materials at domestic and international conferences. The National Strategy for the Creation of an Enabling Environment for Civil Society Development from 2012 to 2016 was adopted to increase the impact of civil society

(legally and financially), and one of the measures of the Strategy is to increase the effectiveness of consulting with civil society organisations in procedures of adopting acts, other regulations and acts.

Reply to the issues raised in paragraph 4 of the list of issues

15. Regarding the use of the terms "inclusion" and "integration", the sentence for which explanation is requested contains a quote from a provision of the Social Welfare Act prescribing one of the social services in the social welfare system: assistance in inclusion in upbringing and regular education programmes (integration). This social service is provided to preschool and school teachers for including children with developmental difficulties or young adults in programmes of regular preschool or school institutions in order to provide professional assistance in preparing education programmes and carrying out pedagogic and didactic adjustments.

B. Specific rights

Equality and non-discrimination (art. 5)

Reply to the issues raised in paragraph 5 of the list of issues

16. Pursuant to the Anti-Discrimination Act, judicial authorities shall keep records on court cases related to discrimination and grounds for discrimination in those cases and submit them to the ministry competent for judicial affairs. Annex 1 contains summary tables for the years 2011, 2012 and 2013, with the records of municipal and county courts in criminal and civil cases, and misdemeanour courts in the Republic of Croatia on reported cases of discrimination based on the forms for statistical monitoring of court cases related to discrimination. We would also like to point out that in the Annex on statistical data, that was submitted along with the Initial Report of the Republic of Croatia on the implementation of the Convention on the Rights of Persons with Disabilities, Table 5, in the framework of Article 5 Equality and Non-Discrimination, it is incorrectly stated that it is a matter of records of municipal and county courts on misdemeanour cases because it is actually a matter of the records of misdemeanour courts on misdemeanour cases.

17. Persons with disabilities can submit complaints to Ombudsman offices (people's ombudsman, disability ombudsman, ombudsman for children and ombudsman for gender equality). When carrying out the duties from their scope of work, the ombudsmen are authorised to warn, propose, inform and give recommendations.

18. Promoting the application of the universal design principle is recognised in two strategic national documents. The National Programme for the Protection and Promotion of Human Rights 2008-2011 defines the measure of "Ensuring Accessible Environment in Line with Universal Design Principles". According to the report of the designated competent authority for the measure (competent authority in the field of construction), the issue of accessibility to persons with disabilities in the field of construction was solved by the Ordinance on Ensuring Access to the Disabled and to Persons with Reduced Mobility. More information on the application of this Ordinance and accessibility is provided in under reply number 11. Another strategic document, the National Strategy of Equalization of Opportunities for Persons with Disabilities 2007-2015, defines the measure of "Promoting the development of universal design". According to the report of the designated competent authority for the measure (competent authority in the field of science, education and sports), within the prescribed teaching and vocational curricula, the development of universal design is encouraged through obligatory subjects, elective subjects, optional classes and/or extracurricular activities. Their contents are on the same track as the

development and needs of the society and technology. So, what they provide to the students is the acquisition of knowledge, skills and competences in product design and environmental design so as to make them useful to all. Their importance and general usability are definitely something to push the students towards. Universal design is an integral part of education through courses such as: culture of living, culture of housing, space design, interior design, furniture restoration, designer drawing, automatic construction, architectural structures, spatial information systems and many others.

19. Based on positive examples resulting from the National Programme for the Protection and Promotion of Human Rights 2008-2011, but also from observed disadvantages and difficulties in implementing certain measures, and taking into consideration the real possibilities of applying certain goals and measures, a new National Programme for the Protection and Promotion of Human Rights 2013-2016 was drafted. The *European Commission's Croatia 2011 Progress Report* identified new challenges for the Government of the Republic of Croatia to resolve: continue the process of reforming the judicial system, among others, continue strengthening of especially vulnerable groups (women, children and persons with disabilities). Therefore, when determining objectives and measures in the new National Programme (2013-2016), previously identified challenges were taken into consideration, as well as results achieved thus far. When drafting the National Programme, the Universal Periodic Review (UPR) recommendations for the Republic of Croatia were especially taken into consideration. The National Programme analyses certain areas of protecting and promoting human rights and designates priority areas, with Protection of the Rights of Persons with Disabilities and Protection of the Rights of Persons with Mental Disabilities among them.

Women with disabilities (art. 6)

Reply to the issues raised in paragraph 6 of the list of issues

20. The Office for Gender Equality of the Government of the Republic of Croatia continuously carries out various activities with the objective of improving the position of women with disabilities, preventing deep-rooted stereotypes and prejudices pursuant to the *National Policy for Gender Equality 2011-2015* and other relevant documents. The basic strategic document in the Republic of Croatia in the field of protection and promotion of gender equality – the *National policy for Gender Equality 2006-2010*, as well as the *National Policy for Gender Equality 2011-2015*, were printed in the Braille alphabet as well. The Office also provides financial support to the activities of associations contributing to including women with disabilities in order to reduce their social exclusion. Pursuant to the *Gender Equality Act*, the Office coordinates the work of county councils for gender equality, advisory bodies for the work of county councils, which were requested many times to adopt action plans to implement the measures of the *National Policy for Gender Equality 2011-2015* on county level and ensure the resources to implement them, and the Office stressed the need to include all the measures for which county/local commissions and units of local and regional self-government are holders and co-holders, including the measures to improve the position of women with disabilities at a local level. According to the available data of the Office, by the end of 2013, the measures to improve the position of women with disabilities at a local level were introduced in work programmes of a total of 11 county commissions for gender equality. The Office also carries out measures to prevent violence against women with disabilities from the *National Strategy of Protection against Family Violence 2011-2016*, and continuously cooperates with the national umbrella organisation Croatian Union of Associations of Persons with Disabilities – CUAPD, with the Network of Women with Disabilities and the SOS phone for women with disabilities who are victims of violence. The Office cooperates with CUAPD and other associations of

persons with disabilities to participate in and co-organise various educational activities that point to the problems of women with disabilities.

21. The Gender Equality Ombudsperson points out that women with disabilities still have a lower education level compared to men with disabilities, which consequently leads to a worse position on the labour market. Furthermore, she points out that domestic violence against women with disabilities includes social isolation and neglect, which is a special form of domestic violence specific for women with disabilities. Keeping in mind that women with disabilities are exposed to a multiple discrimination risk in all areas of life, and also to many prejudices and stereotypes (related both to disability and gender), the Ombudsperson recommended the following in her annual Work Report for 2013: further strengthening of women with disabilities in all areas of life and continuous education of experts, as well as the sensitization of the public towards the position of women with disabilities.

Children with disabilities (art. 7)

Reply to the issues raised in paragraph 7 of the list of issues

22. According to the data of the Ministry of Social Policy and Youth from 31 December 2013, 600 children with developmental difficulties used the services of permanent or weekly accommodation in social welfare institutions for the purpose of rehabilitation. Out of those 600 children, 454 children with developmental difficulties were accommodated in centres for training and education in the social welfare system for the purposes of education and rehabilitation. For the purposes of intensifying the process of deinstitutionalisation and transformation of social welfare homes, the Ministry has drafted the Operational Plan on Deinstitutionalization and Transformation of Social Welfare Institutions and Other Legal Entities Performing Social Welfare Activities in Republic of Croatia 2014-2016 in order to reduce the number of children with developmental difficulties, adults with disabilities, children without adequate parental care and children with behavioural disorders entering the institutions, and to increase the number of those persons leaving the institutions for new forms of care. Deinstitutionalization presumes that the institutional form of accommodation will be replaced with a new form of community-based care that will enable the aforementioned categories of people to return to their biological families, be accommodated in foster families and receive support to use all available community-based services according to the individual needs of the beneficiaries in the assisted living programme.

23. Pursuant to the Operational Plan, the objective of deinstitutionalization is to reduce the total number of children with developmental difficulties at permanent or weekly accommodation by 40% by 2016, primarily the number of children attending elementary school, in cooperation with the ministry competent for education.

Reply to the issues raised in paragraph 8 of the list of issues

24. The new Social Welfare Act, which entered into force on 1 January 2014, brought positive changes with respect to the right to personal disability allowance in the social welfare system. According to the old version of the Social Welfare Act (2012), a reduced amount of personal disability allowance (125% of the basis, that is, HRK 625.00) is paid in cases when parents of the beneficiary of personal disability allowance are on maternity or parental leave, work half-time, work half-time for the purpose of intensified care for the child, are on leave or work half-time for the purpose of intensified care for a child with major developmental difficulties or are taking time off from their job, based on special regulations, until the third year of their child's life, if the child is staying for 4 or more hours per day in a preschool, school or medical institution, a social welfare home or another provider of the service of stay. The payment of the reduced amount of personal disability

allowance has been abolished by the new Social Welfare Act. For this purpose, the Ministry of Social Policy and Youth has secured an additional HRK 4,500,000.00 of budget resources. Moreover, the number of parents and other family members which exercise the right to a parent-caregiver/caregiver status is constantly increasing, as well as the amount of resources spent for this purpose. In 2011, the right to parent-caregiver/caregiver status was exercised by 2,759 persons and HRK 114,858,935.76 was spent for this purpose; in 2012, the number of users of this right increased to 2,869 and the yearly amount spent on for the purpose was HRK 119,438,306.16; in 2013 there were 3,208 parent-caregivers/caregivers, for which HRK 133,551,093.12 was spent, while in September 2014, a total of 3,326 parent-caregivers/caregivers were registered. In cases where a child with developmental difficulties attended an educational programme, his or her parents were also allowed to stay in the institution to assist the child, that is, they could obtain and keep the parent-caregiver status.

25. For the purpose of solving the identified problems in carrying out early intervention (insufficient coordination, non-uniform procedure of the social welfare centres, incomplete information of the parents, inadequate action of the experts), the Ministry of Social Policy and Youth has begun the preparation of the Protocol of the Early Intervention Procedure. The purpose of the Protocol is to correctly define the procedural practice of all experts working with children with developmental difficulties and their parents, from the child's birth. The ministries competent for the area of health care and education, the representatives of disability associations, the UNICEF and the Faculty of Education and Rehabilitation Sciences, University of Zagreb also participate in the preparation of the Protocol.

26. In April 2014, a cooperation agreement entitled "Early Diagnostics and Early Intervention for Children with Autism Spectrum Disorders" was concluded between the United Nations Children's Fund (UNICEF) Office for Croatia and the Ministry of Social Policy and Youth. The cooperation includes the provision of technical support by UNICEF in the establishment of the early diagnostics and early intervention model in order to provide adequate support to parents and children. Parents and experts from the Faculty of Education and Rehabilitation Sciences will also participate in the process of model preparation. The expected result of the cooperation is the advancement of the early diagnostics system, as a means of identifying autism spectrum disorders at the earliest age and with the greatest degree of certainty possible, along with the advancement of the early intervention system in order to provide children with autism spectrum disorders and their families with the best and adequate professional assistance, for the purpose of a long-term increase of the quality of care for and life of the children with autism spectrum disorders and their families.

27. The Government of the Republic of Croatia has thus far adopted three strategic documents focused on the advancement of the standard of living of children in different areas (the health care system, education, protection from ill-treatment and neglect, free time, culture etc.). These documents are the *National Action Programme for Children in Croatia* for the period from 1999 to 2005, the *National Plan of Activities for the Rights and Interests of Children* for the period from 2006 to 2012 and the *National Strategy for Children's Rights in the Republic of Croatia* for the period from 2014 to 2020, adopted in September 2014 for the purpose of promoting and protecting children's rights. The Strategy is focused on four strategic goals, one of which is ensuring the rights of children in vulnerable situations (children with developmental difficulties, children under alternative care, children of the Roma national minority and children living in conditions of poverty). Another strategic goal is ensuring active participation of children. The right of participation of children is integrated in all areas and strategic goals of this Strategy, as a philosophy which presumes active participation of a child in the process of his or her growing up and development, according to his or her abilities and maturity level, and therefore, the participation of children is also enabled in the process of setting strategic goals and

measures. Particularly prominent in this respect are the areas of exercising the right of participation in the family, the local community, the right of participation of children in creating policies for children and the right of participation of children in research involving children. Moreover, as part of the presentation of the Draft Proposal of the National Strategy for Children's Rights in the Republic of Croatia for the period from 2014 to 2020, workshops on active participation of children were held in the process of public consultation regarding the document. As part of the Strategy presentation, an interactive lecture on children's rights was held and a survey on children's rights was conducted among teachers and all higher-grade students, while students from fifth to eighth grade participated in three workshops on the following subjects: Active Participation of Children, Alternative Care, Health Care and Sports, Culture and Other Free-Time activities.

28. A good practice example of encouraging and enabling the participation of children in local communities is the "Cities and Municipalities – Friends of Children" action, whose designated competent authorities are the Croatian Union of Societies "Our Children" and the Croatian Society for Preventive and Social Paediatrics, with the sponsorship of the UNICEF Office for Croatia. The goal of the action is to encourage adults in the local community to fulfil to a greater degree the rights and needs of children recognised in the UN Convention on the Rights of the Child. One of the criteria for obtaining the status of a City – Friend of Children is the inclusion of children in the planning of decisions which concern them by establishing children's city councils and children's forums. The purpose of these councils is the active participation of children and young people in proposing activities and measures which would contribute to a higher-quality of life for children, participation in decision-making regarding important questions concerning them and, thereby, exercising their rights in the local community. Children's forums are an extracurricular activity through which children aged 9-14 learn about their rights and obligations according to the Convention on the Rights of the Child. The forums are established within "Our Children" societies and schools. A children's council is presided over by the president or child mayor. The work method of a children's council is determined by its charter and work programme. In these organised free-time activities, the children are assisted by adults, supervisor-mentors, as well as members of the coordination committees of the "Cities and Municipalities – Friends of Children" action, "Our Children" societies and expert assistants from city and municipality departments and administrations. At this moment, there are 70 children's forums and 27 children's councils in Croatia. A good practice example is also the Network of Young Advisors of the Ombudsman for Children. The new Decision on the establishment of the Council for Children by appointing children's representatives as members has enabled, for the first time in the Republic of Croatia, the participation of children in the advisory body of the Government of the Republic of Croatia.

29. A significant step forward in the area of expressing the opinions and general participation of children in court proceedings has been provided for by a series of acts (the Family Act, the Social Welfare Act, the Foster Care Act etc.), as well as by quality-of-service standards for social welfare. The Government of the Republic of Croatia has systematically ratified important international documents in this area. Based on these international instruments and constitutional provisions prescribing special protection of children, the legislation of the Republic of Croatia has attained a high level of protection of children and stimulation of their development. The most significant acts in this area are the *Family Act*, the *Social Welfare Act*, the *Foster Care Act*, the *Act on Protection against Family Violence* and acts in the field of education and criminal-law protection of children. The Government of the Republic of Croatia has also adopted a series of other strategies and plans focused on child welfare, including that of children with developmental difficulties. The following are but a few of them: the *National Strategy of Equal Opportunities for Persons with Disabilities* from 2007 to 2015, the *Plan for the Deinstitutionalization and*

Transformation of Social Welfare Homes and Other Legal Entities Performing Social Welfare Activities in the Republic of Croatia 2011-2016 (2018), the *Strategy of Social Welfare Development in the Republic of Croatia* for the period from 2011 to 2016, the *Strategy for Combating Poverty and Social Exclusion in the Republic of Croatia (2014-2020)* and the *Strategy for Education, Science and Technology of the Republic of Croatia* for the period until 2020. The relevant strategies, programmes and protocols are being further systematically developed with the aim of better defining of the mechanisms for the protection of children. The partnership between state authorities, the academic community and the key non-governmental organisations which have been actively involved in the advancement of the rights and position of children in the Republic of Croatia over the last twenty years, is especially important for the realisation and implementation of strategic documents.

Awareness-raising (art. 8)

Reply to the issues raised in paragraph 9 of the list of issues

30. According to legislation in the field of culture, providers of media services are bound by certain principles in the production and broadcasting of audiovisual and radio programmes. In accordance with these principles, propagation of hatred or discrimination on grounds of disability are not permitted, whereas the public television company must adapt, produce, co-produce and broadcast programmes about persons with disability and children with developmental difficulties, as well as encourage the translation of programmes into Croatian Sign Language.

31. With the aim of promoting the fundamental human right to life in a community, the Ministry of Social Policy and Youth has begun the production of promotional videos about the process of deinstitutionalization of persons with intellectual difficulties, which will be broadcast as part of the television programme, as well as on social networks.

32. All significant activities concerning persons with disabilities (e.g. round tables, public discussions, celebrations of significant international days) are regularly covered by media representatives.

Accessibility (art. 9)

Reply to the issues raised in paragraph 10 of the list of issues

33. According to the Primary and Secondary Schools Education Act (2013), funds for the transport of primary-school students will be secured from local and regional self-government units' budgets. Organised transport is not equally accessible to adult persons with disabilities in all local and regional self-government units, which is evident from the following text.

Krapina-Zagorje County

34. Organised transport is accessible to persons with disabilities in the area of the entire County. As of 2011, the Disability Association of Krapina-Zagorje County, in partnership with the Krapina-Zagorje County, has implemented the Transport of Persons with Disabilities Programme in the value of more than € 100,000.00, which was financed by the Ministry of Social Policy and Youth until July 2014, and subsequently by the Krapina-Zagorje County. Transport is free for beneficiaries. The adapted van can carry up to three wheelchairs. In addition to the van, for the purposes of the transport programme, the purchase of another delivery vehicle was co-financed by the Krapina-Zagorje County. From

2011, a vehicle transported 1,315 persons with disabilities in the county area and travelled more than 75,000 km. In the area of the county there are three more adapted vans for the transport of persons with disabilities, two owned by associations of persons with disabilities for the purposes of transporting their members, and one owned by the Zabok High School. The school uses the vehicle to transport students with developmental difficulties to classes, and the driver is an employee of the school. In addition, the biggest public transport company in the area of the Krapina-Zagorje County has provided members of associations of persons with disabilities with a 40% discount on the price of the transport ticket for persons with disabilities and their escorts on all regular lines.

Požega-Slavonia County

35. In the County, public transport by minibus is organised for 40 students/children with developmental difficulties who attend a special primary-school programme. Also, a smaller number of students/children with developmental difficulties for whom public transport has not been organised are driven to school by their parents, with transportation costs covered by the competent ministry.

Lika-Senj County

36. The Lika-Senj County, as well as the cities and municipalities in its area, has secured a part of the financial resources for the transport service through the financing of work and programmes of disability associations.

Karlovac County

37. The Karlovac County has co-financed a part of the costs of procurement of vehicles for the purposes of transport of persons with disabilities, currently at the disposal of associations in the area of the Karlovac County (7 vehicles).

Zagreb County

38. Certain municipalities and cities in the Zagreb County area finance partly or in full (depending on the degree of disability and the financial status of the beneficiary) the services on regular public transport lines. Furthermore, certain local self-government units, in cooperation with associations of persons with disabilities or the Red Cross city branches, provide transport for persons with disabilities by adapted vans. The accessibility of public means of transport for persons with disabilities is partly ensured by determining the size of access ramps and pedestrian corridors, that is, ramps on pedestrian crossings, during construction of new lay-bys for public transport vehicles. The City of Zaprešić and 6 municipalities co-finance the transport of persons with intellectual difficulties to rehabilitation programmes in the Zagreb Centre for Rehabilitation – Zaprešić Workshop. For the purposes of transport of the Workshops beneficiaries, the City of Zaprešić has purchased a van and employed a driver. The city of Zaprešić also organises taxi transport to the primary school for students with developmental difficulties. The City of Velika Gorica co-finances transportation costs for children who attend preschool, school or rehabilitation programmes and cannot be included in organised transport by van. The Velika Gorica City Red Cross also provides transport by adapted van for personal needs of persons with disabilities, the costs of which are covered by the City of Velika Gorica.

Bjelovar-Bilogora County

39. Transport for persons with disabilities is organised by disability associations which own vans for the purposes of transport for the most necessary activities. The vans were acquired through projects and donor actions in which the County has also participated.

Vukovar-Srijem County

40. In the area of the Vukovar-Srijem County, transport of persons with disabilities is provided by the "Bubamara" Disability Association from Vinkovci, with three adapted vans, transporting from 200 to 300 persons with disabilities per day. The County co-finances transport of persons with disabilities.

Koprivnica-Križevci County

41. Disability associations in the area of the County provide their members with adapted vans in the cities of Koprivnica, Križevci and Đurđevac, available 24 hours a day to all persons with disabilities oriented towards any of these cities. Beneficiaries can order the transport service by phone, while transportation costs are co-financed by cities and municipalities.

Virovitica-Podravina County

42. Certain associations in the County area own vans adapted for transport of persons with disabilities. The vehicles are used primarily for the purposes of transporting associations' members but are also available to other persons with disabilities in the community.

Sisak-Moslavina County

43. In the County area, transport of persons with disabilities is provided by disability associations and increasingly by home assistance and care centres, which contract these services with social welfare centres or privately with beneficiaries.

Šibenik-Knin County

44. In the County area, transport services for persons with disabilities are provided by disability associations and the "Šubićevac" Centre for Training and Education, which owns adapted vehicles with ramps for persons with disabilities.

Međimurje County

45. The county co-finances the transport of children with developmental difficulties in the Čakovec Centre for Training and Education. In 2014, a vehicle was purchased for the purposes of transporting children with developmental difficulties who are beneficiaries of the Caritas Day Care Centre for Children in the Varaždin County. The County is the co-founder of the Međimurje County Home Assistance and Care Centre which, among other things, provides transport services for persons with disabilities. Also, certain associations of persons with disabilities have their own vans and drivers and provide transport services for their members.

Split-Dalmatia County

46. Certain municipalities and cities in the County organise and finance the transport of persons with disabilities by adapted vans owned by local self-government units or companies which provide public transport services. The service of transport to educational institutions and rehabilitation centres is also provided for children with developmental difficulties.

Osijek-Baranja County

47. The City of Osijek finances transport services for persons with disabilities carried out by adapted vans owned by a public transport company.

Varaždin County

48. By co-financing the programmes of disability associations, the Varaždin County and local self-government units partly finance the services of transport for persons with disabilities carried out by adapted vans, owned by the associations and used to transport their members.

Zadar County

49. The City of Zadar finances the transport of persons with disabilities carried out by adapted vans owned by a public transport company. Persons with disabilities also have the possibility of obtaining a free season ticket for regular public transport. Other cities in the county provide one-time assistance from the budget to the parents of children requiring individualised transport to school. Public transport to the islands is organised in accordance with the infrastructural capacities and needs of the population.

Istria County

50. The Istria County and local self-government units co-finance the social welfare institutions' procurement of adapted vehicles for the transport of persons with disabilities, i.e. their beneficiaries. In addition, the County and local self-government units co-finance the programmes/projects of associations of persons with disabilities which provide transport services for persons with disabilities as part of their programmes.

Primorje-Gorski kotar County

51. The transport of persons with disabilities in the area of the Primorje-Gorski kotar County is provided by associations of persons with disabilities and carried out by adapted vans, whereas the transportation costs are covered by local and regional self-government units and the University of Rijeka. One adapted van was also donated by the Primorje-Gorski kotar County to the Rijeka Association for Assistance to Persons with Mental Retardation, which has been implementing the programme of organised transport of persons with disabilities since 2011.

Slavonski Brod-Posavina County

52. In the County area, organised transport for persons with disabilities is provided by associations of persons with disabilities which, as part of their projects, also provide "door-to-door" transport of their members by adapted van. Apart from this, daily organised transport of children with developmental difficulties to rehabilitation programmes in the Zlatni cekin Polyclinic has been provided for many years, co-financed by the City of Slavonski Brod and the Slavonski Brod-Posavina County.

Dubrovnik-Neretva County

53. In the area of the City of Dubrovnik, transport of persons with disabilities is organised by buses and adapted vans of a public transport company. Some associations of persons with disabilities also use their own cars and adapted vans to provide transport services to persons with disabilities in other local self-government units. In addition, the Dubrovnik-Neretva County Multiple Sclerosis Society, with the aid of the City of Dubrovnik, organises the use of personal transporters for persons with disabilities for the purpose of sight-seeing. The associations' transportation costs are covered from the budgets of local and regional self-government units, as well as from the state budget, own resources and donations.

City of Zagreb

54. During 2013, the Zagreb Electric Tram branch of Zagrebački holding d.o.o. used 9 specialised vans for the transport of persons with disabilities. These vehicles operated on weekdays from 6 a.m. to 12 a.m. and on Saturdays, Sundays and holidays from 8 a.m. to 12 a.m. Since the beginning of the provision of this type of transport, i.e. from 1994 to 31 December 2013, a total of 1,331 beneficiaries used it at least once.

55. The transport operator has also assumed the obligation of daily transport of beneficiaries to work and school (transport to work – 30 persons; transport to universities – 15 persons; transport to high schools – 16 students). Transport is also provided for users of various types of medical rehabilitation and whole-day stay services. In 2013, transport operators used 7 specialised vans for the transport of children with developmental difficulties. The transport of children with developmental difficulties consists of 2 sub-systems: transport of preschool children (children staying in day-care centres or special institutions) and transport of primary school children.

Reply to the issues raised in paragraph 11 of the list of issues

56. On the entire territory of the Republic of Croatia, according to financial capabilities, public transport has been continually adapted (adaptation of buses, ships, trains and trams (Zagreb and Osijek)), whether with the rejuvenation of the fleet which introduces newer means of transportation with modern technological solutions, or with targeted acquisition of new vehicles adapted for persons with disabilities.

57. The availability of public bus passenger transport for persons with disabilities is provided on the basis of provisions of the Ordinance on the Categorization of Bus Stations (2014) in which it is determined that bus stations are categorized on the basis of basic and additional criteria. As one of the conditions of basic standards that are required and determined for all categories of bus stations in terms of infrastructure equipment of station buildings, access for persons with disabilities is required. Furthermore, as one of additional measures which are optional, it is required to provide help to persons with disabilities. Currently in the Republic of Croatia there is a total of 65 bus stations of which three bus stations are category A (best equipped), 23 category B, 16 category C and 23 category D (least equipped). All of the state roads management, construction and maintenance companies must comply with the Ordinance on Ensuring the Accessibility of Buildings to Persons with Disabilities and Persons with Reduced Mobility (2013) for unimpeded access of persons with disabilities. All traffic areas must contain elements of accessibility and meet the conditions for using aids by persons with disabilities (e.g. construction of a pedestrian overpass over a state road, elevators for persons with disabilities along the pedestrian flyover, tactile lines, the height of sidewalks on level with the front steps of low-floor means of transport, traffic lights with sound signalling, pedestrian islands with angled curbs and so on).

58. According to legislation, persons with an established physical impairment that has resulted in the incapacity of the lower extremities of 80% or more and Homeland War veterans with disabilities with a physical impairment of 100%, and 100% blind persons, are entitled to the exemption from toll charges for a single passenger vehicle which they have in their ownership. Persons with a physical impairment with a percentage of 80% or more or persons with an established physical injury that has resulted in the incapacity of the lower extremities of 60% or more do not have to pay the annual fee for public road use that is paid during vehicle registration for one passenger vehicle that they own. In the period from 1 December 2012 to 1 December 2013, based on the abovementioned exemptions from payment, there were a total of 33,512 exemptions from the payment of annual fees for the use of public roads which the Republic of Croatia reimbursed to managers of public roads from the state budget in the amount of HRK 15,125,753.00. Furthermore, over the

same period there were a total of 373,368 passages on the sections of motorways for which managers of motorways were compensated from the state budget in the total amount of HRK 12,886,853.00. For the period from 1 December 2013 to 1 September 2014, based on the abovementioned exemptions from payment, there were a total of 25,897 exemptions from the payment of annual fees for the use of public roads for which managers of public roads have been compensated in the amount of HRK 11,695,522.00, i.e. there were 266,788 passages on the sections of motorways for which managers of motorways were compensated in the total amount of HRK 9,379,371.00.

59. Furthermore, the Road Traffic Safety Act (2008, last change 2014) prescribes that persons with 80% or more physical impairment, or persons with the incapacity of the lower extremities of 60% or more, can mark the vehicle in their use with a prescribed symbol of access, which enables parking on the parking spaces specially marked for this purpose. According to the data of the competent Ministry of Health, the Republic of Croatia has, until 1 June 2014, issued a total of 60,000 symbols of access. In order to insure better control of issuing and using the symbol of access, improvement of its final production quality and the modernisation of use, a new ordinance on the symbol of access is currently being prepared.

60. The Road Traffic Safety Act gives the possibility to the units of local and regional self-government to regulate traffic in their areas, which includes providing free parking for vehicles of persons with disabilities, enabling the use of reserved parking spaces in public parking lots or in front of residential buildings regardless of them being a public parking lot or not, and the possibility of granting approval for vehicles of persons with disabilities to move or stop on public areas on which traffic has been limited or prohibited. All this is aimed at providing access to the physical environment for persons with disabilities. The vast majority of local self-government units have allowed free parking for vehicles of persons with disabilities, with the exception of some local self-government units in tourist areas during the tourist seasons. In relation to air transport, airports are obliged to ensure human and technical resources to assist persons with disabilities upon departure and return from flights, in such a way that means of transport have to be adapted for the use by persons with disabilities, and in accordance with the Act on Obligatory and Proprietary Rights in Air Traffic (2013). In relation to railway transport, currently in use are three passenger coaches, six tilt trains and three new prototypes of low-floor trains that are made in accordance with European regulations and in accordance with the TSI (technical specifications for interoperability). Persons with disabilities can enter the abovementioned passenger coaches and tilt trains using a lifting ramp that is currently only available at the Zagreb central railway station. The plan is to purchase another 5 ramps that will be deployed in regional centres and, upon prior notification of the journey, available at all stations. Furthermore, the three indicated prototypes of low-floor trains have built-in ramps for entry and exit of persons with disabilities (trains operate in urban and suburban areas of Zagreb and on three regional lines). Also, there are regular educational activities for workers who participate in the process of passenger transport by railway. A purchase of 44 new accessible trains is planned by 2017. It is expected that the first trains out of the contracted 44 will be delivered in the first quarter of 2015. Projects of modernization of individual railway sections include the improvement of railway stations and other related facilities, including facilities used for easy access of persons with reduced mobility (ramps, elevators, high platforms).

61. Accessibility is rated when granting concessions in a public tender procedure for all lines of the public coastal maritime transport service. In the Ordinance on the Criteria for Granting Concession for Public Sea Transportation (2010), the aforementioned accessibility is rated according to the following technical criteria: access for persons with limited mobility, passengers do not have to board through the garage (side door) and the boarding of passengers by using aids (escalators, elevators, etc.). The rating system factors for

granting a concession in a public tender procedure for the maintenance of a line represent an incentive, and do not sanction the lack of access for persons with disabilities. The result of such a system is the increase in the number of ships that maintain their lines, and have access for persons with limited mobility and elevators/escalators (from 16 in 2011 to 21 in 2014; annual investment of about HRK 6 million). With regard to facilitating access, lower fares for persons with disabilities and their companions have been provided pursuant to the Act on Discounts in Domestic Passenger Transport (2000), and inspections are performed to control the enforcement of regulations and appropriate sanctions are taken in accordance with the authority. In addition, a system of island identity cards is being developed that would enable faster and more available purchase of tickets for islanders, which will reduce queues when purchasing tickets at the counters and vending machines for all passengers, including for persons with disabilities.

62. In order to improve the quality of life of persons with the most severe type and degree of disability and ensure independent life within the community, the Ministry of War Veterans (formerly: Ministry of Family, Veterans' Affairs and Intergenerational Solidarity), in cooperation with associations of persons with disabilities, is continuously carrying out a Project to solve the problems of accessibility of facilities for persons with disabilities (the project started in 2004).

63. For all students with disabilities, the Ministry of Science, Education and Sports is financing the adapted forms of transportation and special teaching aids. Also, according to legislation, the units of local and regional self-government (founders of schools that are within the competence of the Ministry) allocate funds from their budgets for the construction, upgrade and reconstruction of school premises, including the installation of elevators and elimination of architectural barriers. The Ministry identifies the work conditions in schools (spatial requirements and conditions necessary for the implementation of the programme), and inspections of the Ministry impose measures and sanctions against a school failing to provide the required standards.

Situations of risk and humanitarian emergencies (art. 11)

Reply to the issues raised in paragraph 12 of the list of issues

64. Evacuation of people in case of emergencies in the Republic of Croatia is regulated by the Protection and Rescue Act and the Ordinance on the Methodology for the Preparation of Risk Assessment and Protection and Rescue Plans. Local and regional self-government units are required by law to plan and carry out the evacuation of all population groups from the endangered area. Municipalities, towns and counties draw up plans for civil protection that provide for the evacuation of endangered areas. Assistance is provided without discrimination to all residents, taking into account their needs and giving priority to the most urgent cases.

Equal recognition before the law (art. 12)

Reply to the issues raised in paragraph 13 of the list of issues

65. The new Family Act, which was adopted on 1 January 2014 (certain provisions came into force at the end of June 2014, certain other provisions came into force on 1 September 2014, while a specific part of the provisions is to come into force on 1 January 2015), redefines the concept of guardianship in respect of the extent of deprivation of legal capacity and the existing institute of "parental care after coming of age" was abandoned. The Act prescribes the obligation of the partial deprivation of legal capacity as a rule, but only in areas where this is really necessary for the protection of the ward's rights, and the

institution of complete deprivation of legal capacity has been abandoned. Rulings on deprivation of legal capacity made under previous regulations will be re-examined in an extrajudicial procedure within the period of 5 years for the purpose of returning legal capacity. Initiation of the procedure for the purpose of re-examining a decision on the deprivation of legal capacity or its restoring is the obligation of the social welfare centre. Funds for reviewing decisions on the complete deprivation of legal capacity will be provided from the state budget. The new Act makes it possible to appoint several persons as guardians, as well as to appoint a substitute guardian, which will prevent "delays" in the performance of the guardian's duties in cases of momentary inability of the guardians to carry out their duties. A legal obligation to respect the expressed views and wishes of the ward has also been introduced and allows each person to appoint a person they would want as a guardian during the deprivation of legal capacity. This introduced the institute of advance directives into the Croatian legal system. Furthermore, based on the new Act, the Centre for Special Guardianship has been established as a public institution whose employees will be appointed as special guardians of children and persons deprived of legal capacity in court procedures. This ensures adequate protection of those persons in the proceedings before the competent courts, i.e., their representation by experts particularly sensitized to work with this population, regardless of the parents and the social welfare centre, and in accordance with international instruments in this area that bind us to provide these categories of persons representation in court proceedings by an independent body. Provisions which refer to guardianship have entered into force on 1 September 2014.

66. A new Act on the Protection of Persons with Mental Disorders has been introduced that enters into force on 1 January 2015. The need for a new Act on the Protection of Persons with Mental Disorders has stemmed from the need to conform to international obligations which the Republic of Croatia has taken on. In accordance with recent changes in the elective legislation, the use of active voting right during stay in a psychiatric institution has been added in this new regulation. Time for admitting a person with mental disorders into a psychiatric institution is shortened to up to 48 hours, which provides for an additional form of protecting the right to freedom of a person with mental disorders. As a novelty, there is a new provision according to which persons deprived of legal capacity or partially deprived of legal capacity can, in order to protect their rights and interests, undertake procedural actions in accordance with their ability to understand the meaning of actions taken and their legal consequences. Furthermore, although the current Act on the Protection of Persons with Mental Disorders provides for the possibility of a person with mental disorders to attend the hearing that can be held in a psychiatric institution, in practice, these hearings were held in court premises and, as a rule, in the absence of persons with mental disabilities that were the subject of the hearing. The new Act regulates the obligatory participation of a person with mental disorders at hearings and for the hearings to be held at psychiatric institutions, and only in exceptional cases in court. This ensures the right of a person with mental disabilities to participate in proceedings concerning that person. As a novelty, the psychiatric treatment of mentally incompetent persons outside the institution was introduced. This treatment is prescribed by the criminal court when the criteria for involuntary placement of a mentally incompetent person are met (severe mental disturbance and the likelihood of repeated commitment of a serious criminal act), but to prevent the danger of repeated commitment of a serious criminal act it is sufficient to treat the mentally incompetent person outside the institution. Compulsory psychiatric treatment outside the institution is also regulated by the Basic Criminal Law of the Republic of Croatia (from 1991) as a security measure, and it is introduced now again because of the importance of rehabilitation and resocialization of persons who have committed an unlawful act in a mentally incompetent state, as well as due to the tendency of deinstitutionalization of institutions which is carried out in order to improve the quality of services and the quality of life of persons with mental disorders. This treatment is determined for the first time in the duration of six months with a possibility of extension. If

a mentally incompetent person fails to start a treatment outside the institution without reasonable excuse, the competent court shall issue a decision on involuntary placement in a psychiatric institution for a period of 30 days. Upon expiry of this period, a person will continue its psychiatric treatment outside the institution, unless the court issues a decision on extension of involuntary placement at the proposal of the psychiatric institution. In the event that there is a deterioration of health of a mentally incompetent person, despite the treatment outside the institution, the court shall initiate proceedings to detain the person in a psychiatric facility under the provisions for civilian accommodation. The possibility of replacing the involuntary psychiatric treatment with treatment outside the institution was introduced as a novelty, but only after the expiry of the six month deadline ordered by the criminal court. Furthermore, the application of coercive measures against persons with severe mental disorders has been limited. They can only be applied if they are the only means for the elimination of imminent danger arising from their behaviour which seriously and directly endangers the health or life of that person or others. The possibility of applying coercive measures in case of damage or destruction of property has not been provided. The principle of proportionality has been prescribed in relation to the duration of coercive measures, and the need to apply de-escalation measures (non-coercive measures) has also been referred to. With respect to the applicable Act on the Protection of Persons with Mental Disorders, the minister responsible for health is obliged to prescribe coercive measures and non-coercive measures by a special regulation, which will lead to the standardization of the application of these measures in psychiatric institutions. This improves the protection of persons with mental disorders. As a novelty, also prescribed is the obligation of the psychiatric institution to notify the Committee for the Protection of Persons with Mental Disorders about the application of coercive measures in order to ensure monitoring of the prevalence of application of these measures. The new Act on the Protection of Persons with Mental Disorders prescribes additional protection of person with mental disorders in cases of actions by police officers. Related to the implementation of coercive measures against persons with mental disabilities placed in social care institutions, it is prescribed that these institutions can apply coercive measures against persons with severe mental disorders under the conditions prescribed by this Act. The new Act on the Protection of Persons with Mental Disorders provides the possibility that each person can in advance, in anticipation of worsening health, identify a person of confidence that will make treatment decisions in the event that the person is unable to make such decisions independently – binding statement. The binding statement takes precedence over the decisions of the legal representative and is valid when made in the form of a notarial deed, and the same form is required to revoke it.

67. Furthermore, the new Act changes the name of the State Commission for the Protection of Persons with Mental Disorders to the Committee for the Protection of Persons with Mental Disorders. A novelty is that the Committee is founded by the Ministry competent for judicial affairs, and not by the Ministry competent for health care as prescribed by the applicable Act. Namely, under the new Act, persons with mental disorders become subjects in the process which is in conformity with the provisions of the Convention on the Rights of Persons with Disabilities, which has completely abandoned the medical approach that objectifies the position of persons with disabilities and replaced it with the protection of their rights.

68. In order to set the conditions for full implementation of the new Act in practice after its entry into force, the Ministry of Justice has, immediately after its vote in Parliament, indicated to the Bar Association the need for education of attorneys, which is why the new Act will be applied from 1 January 2015. The Ministry has, together with the Judicial Academy, prepared and agreed to organize training for judges of all county courts in Croatia (15) working on cases under the authority of this Act. Educational activities will

include about a hundred judges, and will be carried out in the Regional Centres of the Judicial Academy, and educators will be eminent experts in this field.

Access to justice (art. 13)

Reply to the issues raised in paragraph 14 of the list of issues

69. By the Act on Amendments to the Misdemeanour Act from 2013, the current Act (from 2007) has been harmonized with the *acquis communautaire* and has the built-in provisions on the right to interpretation and translation in criminal proceedings and the right to information in criminal proceedings. According to these amendments to the Act, every person in the proceedings has the right to use their own language, and has the right to be provided with an interpreter if the proceedings or any action within the proceedings is not in their language, and this right can be waived if they know the language in which the proceedings or individual actions are conducted. Act on Amendments to the Act on Police Duties and Powers (2014), as a novelty specially emphasizes the considerateness of police handling in case of undertaking of police powers and collecting information from citizens in relation to persons with disabilities, to ensure the necessary adjustment and adequate support to police conduct, taking into account the specificities of each individual disability (physical, sensory, intellectual and mental). The aforementioned amendments regulate the manner in which a police officer should, when deemed necessary, seek help from a person who has knowledge about the correct way of communication and behaviour towards persons with disabilities, depending on the characteristics of each individual disability, when collecting information from persons with disabilities, as well as in the application of police powers towards persons with disabilities.

Reply to the issues raised in paragraph 15 of the list of issues

70. As part of the programme of the Employees' Training Centre of the Prison System Directorate of the Ministry of Justice along with other educational activities, new regular educational activities concerning proper communication with persons with disability are being carried out and will be continued in the future, since they also contribute to the overall positive changes in the judicial system. Croatian judicial officials (judges and state attorneys) regularly participate in international seminars organised by the Academy of European Law (ERA). In 2012, two judicial officials have participated in the seminar "Applying EU Anti-Discrimination Law". In 2013, 8 judicial officials participated in the seminar "EU Disability Law and the UN Convention on Rights of Persons with Disabilities", while in 2014, five judicial officials participated in the seminar "EU Anti-Discrimination Law" (one of the topics was the Convention on the Rights of Persons with Disabilities).

Liberty and security of the person (art. 14)

Reply to the issues raised in paragraph 16 of the list of issues

71. The Republic of Croatia has 8 penitentiaries, 13 prisons and 2 educational institutions. Although, statistically speaking, there are a relatively small number of prisoners with disabilities in the prison system, the prison system pays special and increasing attention to this population and, according to current indicators, provides them with a sufficient number of rooms within its accommodation capacity. The Ministry of Justice has addressed and is addressing the question of obstacles for persons with disabilities in accordance with the Ordinance on Ensuring the Accessibility of Buildings to Persons with Disabilities and Persons with Reduced Mobility.

72. The Glina Penitentiary, in its new facility, has six rooms adapted for persons with disabilities, equipped with adapted toilets and handrails, and wheelchair access wherever necessary. For the purpose of easy access for persons with disabilities, the toilet is separated from the room by a wide sliding door. The height of the telephone booth has been adjusted for persons in wheelchairs, and there is an elevator for moving between the floors. Bed handrails have also been adapted to the needs of these prisoners, as well as the system for opening the windows. If help is needed from another person, another prisoner is designated to help the prisoner with disabilities in activities which they cannot perform themselves. This, apart from ensuring the needed help, develops interpersonal solidarity and breaks prejudice and stereotypes. In the Bjelovar Prison, construction work is currently on the way to adapt the rooms for accommodation of prisoners with disabilities and to build an access ramp. The Požega Prison has followed the recommendation of the Ombudswoman for Persons with Disabilities and launched a recruitment procedure for a nurse, which would ensure continuous medical care during the first and second shifts. It should be noted that, in several penal institutions, the prison system has already realized architectural and building adaptations to ensure compliance with the legislation and the recommendations made, which shows that there is cooperation and an active relationship in the area protected by the institute of the ombudsperson. The Osijek Prison has adapted a room for the accommodation of persons with disabilities on its ground floor, which allows access without obstacles, and sanitary facilities have been modified and equipped with handrails. Handrails have also been built on both sides of the stairs and a ramp was fitted at the entrance of the prison building. The Pula Prison has, taking into account the recommendations of the Ombudswoman for Persons with Disabilities, adapted a room for the needs of persons with disabilities on its ground floor, in accordance with the standards prescribed in the Ordinance on Ensuring the Accessibility of Buildings to Persons with Disabilities and Persons with Reduced Mobility (2007). Likewise, the entrance to the prison building was adapted for persons with disabilities by building an access ramp. The Lepoglava Penitentiary has equipped four rooms for this category of prisoners. The adaptation of the bathroom has been performed by installing lie-down bathtubs instead of showers, and toilet bowls have also been adjusted. In the Bjelovar Prison, construction work is currently on the way to adapt the rooms for accommodation of prisoners with disabilities and to build an access ramp, according to the recommendations of the Ombudswoman for Persons with Disabilities, and according to standards prescribed by the Ordinance. In the prison hospital the works are currently on the way to install an elevator which will ease the access and the movement of persons with disabilities. During 2014, the removal of architectural barriers was performed at 2 buildings of the Municipal Court, 1 building of the Commercial Court, at 2 county courts, while all barriers at the State Attorney's Office of the Republic of Croatia were fully removed during this year.

73. On 31 December 2013 there were a total of 68 persons with reduced mobility (9 moving with the aid of a wheelchair and 57 prisoners moving with the aid of crutches or other aids) serving prison sentences in penal institutions of the Republic of Croatia. Based on the Enforcement of Prison Sentences Act (2013), the competent enforcing judge visits the prisoners at least once a year, talks with them and informs them about their legal rights.

74. In the previous period, a very small number of persons with disabilities were placed in police detention units. The majority of buildings with detention facilities, i.e. detention police units, have enabled access for persons with disabilities to all facilities and rooms in the form of access ramps and/or elevators. Most of the rooms accommodate those in wheelchairs, and the use of non-accessible rooms is avoided. The detention police unit at the Zagreb Police Administration has been fully adapted for the accommodation of persons with disabilities and it will serve as a model for the construction of other detention police units in Croatia. According to the Enforcement of Prison Sentences Act, the Ministry of Health is responsible for supervision over the provision of health care to prisoners and

juveniles in the prison system. During health inspections, health inspectors are focused on examining spaces, medical and technical equipment, medical documentation and licenses for health workers.

Reply to the issues raised in paragraph 17 of the list of issues

75. The existing Act on the Protection of Persons with Mental Disorders (2002) prescribes the fundamental principles, the protection of rights and conditions for the application of measures for dealing with persons with mental disorders. According to the Act on the Protection of Persons with Mental Disorders, one of the fundamental principles of this Act is that the freedom and the rights of persons with mental disorders may be restricted under the conditions and procedure prescribed by law and to the extent that is necessary for their protection or for the protection of other persons. All persons with mental disorders are entitled to protection and improvement of their health, to equal treatment as all other persons placed in other health service facilities, to protection of and respect for their dignity, and to protection from all forms of ill-treatment and humiliating treatment. No person may be brought into an unequal position because of their mental disorder, and measures undertaken in order to protect and improve their health are not considered a form of unequal treatment. Persons with mental disorders have the same rights regardless of whether they are placed in a psychiatric institution voluntarily or forcibly. Following the procedure for confinement and involuntary placement prescribed by the Act, persons with severe mental disorders will be placed in a psychiatric institution without their consent only if due to their mental disorder they pose a serious and imminent threat to their own life or health or safety, or the life or health or safety of other persons. Therefore, persons with mental disorders can have their rights and freedoms limited without their approval (mandatory hospitalization) only if this is in the interest of that person or for the purpose of their protection and the protection of other persons. During 2014, the new Act on the Protection of Persons with Mental Disorders was adopted, and its application starts on 1 January 2015 and all improvements over the old Act have been laid out in reply to question No. 13.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

Reply to the issues raised in paragraph 18 of the list of issues

76. The Patients' Rights Protection Act (the Act from 2004 with amendments from 2008) stipulates that a patient has the right to accept or reject a particular diagnostic or therapeutic procedure, except in the case of urgent medical interventions when refusal would threaten the life and health of the patient or cause permanent health damage. The patient expresses acceptance of a particular diagnostic or therapeutic procedure by signing consent. A blind person, a deaf person who cannot read, a mute person who cannot write and a deafblind person accepts a certain diagnostic or therapeutic procedure by a statement in the form of a notarial deed or before two witnesses with a declared statement on the appointment of a person with full legal capacity who will accept or reject such a procedure on their behalf. For patients who are unconscious, patients with a severe mental disorder, for patients deprived of legal capacity or juvenile patients, except in cases of urgent medical intervention, the consent is signed by the legal representative or guardian. If because of the urgency of the situation the approval of a legal representative or guardian cannot be obtained, the patient will undergo a diagnostic or therapeutic procedure only in cases where failure to undergo such a procedure would directly threaten the life of the patient or would put the patient at serious and immediate risk of severe damage to health. The procedure can

be carried out without the consent of the legal representative or guardian of the patient only for the duration of the specified risk.

Reply to the issues raised in paragraph 19 of the list of issues

77. Speaking of specific measures undertaken to prevent treatment without consent, separation (isolation) and the use of chemical and physical limitations, pursuant to the Act on the Protection of Persons with Mental Disorders, a person with mental disorders can undergo a medical procedure only with the person's written consent that can be revoked at any moment. The ability of persons with mental disorders to give consent must be established before they give their consent. Being deprived of legal capacity does not equal being unable to give consent so, before the medical procedure is initiated, the ability to give consent must be established with persons deprived of legal capacity. Establishing the ability to give consent and requesting consent is not obligatory in particularly urgent cases when the health or life of a person with mental disorder is at risk. A medical procedure without consent can only be provided for so long as the risk lasts. In exceptional cases, a person with mental disorders can undergo a medical procedure without giving consent only under the conditions and in the procedure prescribed in this Act. Coercion measures towards persons with more severe mental disorders can be applied only in exceptional cases when they are the only method to remove imminent danger resulting from the behaviour of the person that seriously and directly puts at risk the life or health of the person with the mental disorder or another person, and can last only as long as necessary to remove the danger. Before the application of coercion measures, a person with more severe mental disorders will be warned of it if possible with regard to circumstances. Furthermore, pursuant to the Patients' Rights Protection Act (2004, last amendment in 2008), patients have the right to be completely informed of their own health status, including the medical evaluation of results and outcomes of a certain diagnostic or therapeutic procedure, recommended examinations or surgeries and planned dates for their undertaking, potential advantages and risks of undertaking or not undertaking the recommended examinations and surgeries, of their right to decide on the recommended examinations or surgeries, potential changes for recommended procedures, the course of the procedure when providing health care, the further course of health care, the recommended way of life, health insurance rights and procedures to exercise those rights. Patients have the right to receive information in an understandable way, taking into consideration their age, education and mental abilities. Patients with disabilities have the right to receive information in a form they find accessible. Patients with reduced judgement also have the right to be informed, in accordance with their age, or physical, mental and psychological condition. Patients are entitled to accept or reject a certain diagnostic or therapeutic procedure, except for cases of unpostponable medical interventions which need to be undertaken to prevent issues that present danger for the life and health of the patients or could cause permanent damage to their health. A blind person, a deaf person that cannot read, a mute person that cannot write and a deaf-blind person accept a certain diagnostic or therapeutic procedure with a statement in the form of a notarial act or before two witnesses with a declared statement on appointing a person with full legal capacity who accepts or rejects the procedure on their behalf. For unconscious patients, patients with more severe mental disorders, patients deprived of legal capacity or underage patients, except in cases of unpostponable medical interventions, the consent is signed by the legal representative. If, due to an urgent situation, consent from the legal representative cannot be obtained, patients will undergo a diagnostic or therapeutic procedure only in cases where failure to undergo the procedure would directly threaten the life of the patients or would put the patients at a serious and immediate risk of severe damage to their health. The procedure can be carried out without consent from the legal representative or the guardian of the patient for only as long as the stated danger lasts.

Freedom from violence and abuse (art. 16)

Reply to the issues raised in paragraph 20 of the list of issues

78. According to the data of the Ministry of the Interior, from 1 January 2012 to 31 December 2012, the total number of victims with disabilities amounted to 772 (312 were male and 460 were female). For comparison, the total number of victims in the same period was 20,627 (7,756 male and 12,871 female). From 1 January 2013 to 31 December 2013, the total number of victims with disabilities amounted to 194 (91 were male and 103 were female). In that same period, the total number of victims was 18,590 (6,686 male and 11,904 female). From 1 January 2014 to 31 June 2014, the total number of victims with disabilities amounted to 76 (42 were male and 34 were female). In that same period, the total number of victims was 7,461 (2,705 male and 4,756 female). Based on data of the misdemeanour courts, from 1 January 2012 to 31 December 2012, the total number of victims with disabilities who were injured parties in the proceedings was 46 (24 male and 22 female). In that same period, the total number of victims was 11,586 (4,457 male and 7,129 female). From 1 January 2013 to 31 December 2013, the total number of victims with disabilities who were injured parties in the proceedings was 65 (30 male and 35 female). In that same period, the total number of victims was 15,378 (5,653 male and 9,683 female). From 1 January 2014 to 30 June 2014, the total number of victims with disabilities who were injured parties was 21 (13 male and 8 female). In that same period, the total number of victims was 7,177 (2,728 male and 4,449 female).

79. For the purpose of providing accommodation and psychosocial support to victims of family violence, the Ministry of Social Policy and Youth, as the legal successor of the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity, regularly allocates funds from the State Budget for the purposes of sustainable financing and care for women and children who are victims of family violence, i.e., it continuously supports the work of 17 shelters and counselling centres for victims of violence in the areas of the City of Zagreb and the Zagreb, Varaždin, Međimurje, Bjelovar, Karlovac, Sisak-Moslavina, Brod-Posavina, Osijek-Baranja, Istria, Primorje-Gorski kotar, Vukovar-Srijem, Šibenik-Knin and Zadar counties. Of the above number (17 shelters), 10 institutions, homes and organisations are financed through the system of head taxes (HRK 3,200.00 per user per month), and public tender procedures are ensuring financial support for the operation of 7 autonomous shelters for victims of violence run by civil society organisations. The above 7 shelters are also regularly financed from the local budget. From 2009 to 2014, as financial support to the shelters for victims of violence, including non-governmental organisations, homes and institutions, the Ministry ensured a total of HRK 36,814,244.60, of which for the operation of the autonomous women's shelters and counselling centres the amount of HRK 12,541,192.75 (in 2009 the amount of HRK 1,683,886.18, in 2010 the amount of HRK 2,529,827.67, in 2011 the amount of HRK 2,027,602.00, in 2012 the amount of HRK 2,099,876.90, in 2013 the amount of HRK 2,100,000.00 and in 2014 the amount of HRK 2,100,000.00), and for the operation of shelters/homes/institutions financed from the social welfare system on the basis of the so-called "head tax", the Ministry ensured the amount of HRK 24,273,051.85 (in 2009 the amount of HRK 3,476,748.29, in 2010 the amount of HRK 3,843,207.35, in 2011 the amount of HRK 4,002,592.30, in 2012 the amount of HRK 4,002,592.30, in 2013 the amount of HRK 4,447,911.61 and in 2014 the amount of HRK 4,500,000.00).

80. Shelters provide their users with accommodation, food and hygiene goods (i.e. the basic necessities of life), and ensure them psychosocial support, which includes psychological and legal aid. These 17 shelters have been adapted for persons with disabilities. Other shelters for victims of violence, which are not financed by the Ministry of Social Policy and Youth, also operate in the Republic of Croatia.

81. The legal framework has been built, including the Act on Protection against Family Violence (2010) and its implementation rules (ordinances), which regulate the procedural framework (definition of violence, purpose, sanctions, etc.). Another important strategic document is the National Strategy of Protection against Family Violence for the period from 2011 to 2016, envisaging concrete measures for providing care and support to the victims of those forms of violence. The current Strategy defines 7 operational areas, with the area *Care and Support to the Victims of Family Violence* including the measure of "Continuous improvement of the system of protection of rights and the improvement of position of women with disabilities who are victims of family violence" (data collection for the purpose of preparation of the first implementation report concerning the measures defined in this Strategy is in progress). Furthermore, the Social Welfare Act and the Local and Regional Self-Government Act prescribe the authorities of the local and regional self-government units, including their obligations with the purpose of providing care and support to victims of family violence, and the victims are also helped directly by the social welfare centres.

Reply to the issues raised in paragraph 8 of the list of issues

82. The family violence monitoring system is implemented through interdepartmental teams on national and county levels (monitoring violence, taking action against violence and working on specific cases) and through the Expert Commission for Monitoring and Improving the Work of Criminal and Misdemeanour Proceedings' Bodies and Execution of Sanctions Related to the Protection against Family Violence (monitoring the legal framework). The mentioned teams were established in November 2012 pursuant to the cooperation agreement between the ministries competent for internal affairs, judicial affairs, the health care system, family, social welfare, education and administration, with the aim of achieving as good and as efficient interdepartmental cooperation in the field of family violence as possible. These teams have the task of coordinated monitoring and supervision over the work of all competent authorities acting in cases of family violence and violence against women, as well as of improvement of the system of work of all state authorities in cooperation with non-governmental organisations through the establishment and implementation of joint educational activities. The Expert Commission for Monitoring and Improving the Work of Criminal and Misdemeanour Proceedings' Bodies and Execution of Sanctions Related to the Protection against Family Violence consists of representatives from among the judges, public prosecutors, lawyers, and civil servants of the Ministry of the Interior, Ministry of Justice, Ministry of Health and officials of the Ministry of Social Policy and Youth. Its task is to submit proposals and opinions to the ministers responsible for judicial affairs, internal affairs, the health care system, family and social welfare concerning the application of the Act on Protection against Family Violence and other acts protecting the victims of family violence, the monitoring of the compatibility of work of state authorities and bodies in the criminal and misdemeanour proceedings and the provision of proposals for the improvement of the system of protection against family violence.

83. According to the provisions of the Act on Protection against Family Violence (2010), the Ordinance on the contents of obligatory records and reports, and the method of collecting, processing and storing the statistical data from the scope of the Act on Protection against Family Violence has been issued and the work on the establishment of the family violence database is in progress. The database should contain numerical indicators concerning family violence incidents recorded by the police, the state attorney's office, misdemeanour courts, social welfare centres and health service facilities.

84. The Primary and Secondary Schools Education Act prescribes the obligation of preparing house rules for educational institutions which, among other things, set the safety and protection rules concerning socially unacceptable forms of behaviour, discrimination,

hostility and violence with regard to all students, including students with disabilities. It is also the obligation of educational institutions to monitor social problems and incidents involving students and to take measures for the elimination of their causes and consequences, including the preparation of preventive programmes for working with students, keeping records on unacceptable forms of student behaviour as well as counselling concerning students.

85. The supervision of the treatment of prisoners in penitentiaries and prisons and juveniles in correctional institutions, according to the legislation, is carried out by the Central Office of the Directorate for the Prison System of the Ministry of Justice, by the Ministry of Health, the Ministry of Science, Education and Sports, the enforcing judge of the county court, the People's Ombudsperson, the Gender Equality Ombudsperson, the Children's Ombudsperson and the Ombudsperson for Persons with Disabilities, by non-governmental organisations dealing with the protection of human rights and, periodically, by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment of the Council of Europe and the Expert Mission of the European Commission for the justice sector and internal affairs (peer-based mission). All ombudspersons monitor the prison system and act according to their scope of work and area of activity. In 2012, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment visited the Glina Penitentiary, the Sisak Prison, the Zagreb Prison and the Prison Hospital. According to their report, an improvement has been noticed concerning the general conditions in the above penal institutions and it has been established that there were no grave violations of human rights with respect to prisoners. The Prison System Directorate has accepted all the received recommendations of the above Committee and continuously undertakes activities concerning their implementation. Some of the activities had been started before the Committee's report, induced by the need of the Prison System Directorate to improve the treatment of prisoners.

86. Also operative in the Republic of Croatia is the State Commission for the Protection of Persons with Mental Disorders as an independent expert body for the monitoring and advancement of the protection of rights of persons suffering from mental disorders. The new Act on the Protection of Persons with Mental Disorders changes the name of the Commission to the Commission for the Protection of Persons with Mental Disorders and prescribes that the Commission will be established within the ministry competent for judicial affairs (until now it was established within the ministry competent for health care), and that it will be in charge of discussing issues significant for the protection of persons with mental disorders and proposing and stimulating the adoption of measures aimed at the improvement of such protection; monitoring the level of respect for the human rights, freedoms and dignity of persons with mental disorders; monitoring the implementation of medical procedures prescribed by the Act on the Protection of Persons with Mental Disorders and proposing recommendations for the purpose of eliminating detected irregularities; examining individual cases of compulsory hospitalisation in psychiatric institutions and especially the application of special medical procedures and coercion measures towards persons with mental disorders and proposing recommendations for the elimination of detected irregularities; monitoring the implementation of the proposed recommendations; providing proposals and opinions regarding the application of this Act to the competent authorities; approving projects of biomedical research on persons with mental disorders and monitoring their implementation; examining and providing opinions on other issues significant for the protection of persons with mental disorders and the improvement of their health care. In order to check the conditions and method of the implementation of the protection and treatment of persons with mental disorders, members of the Commission can, with or without prior announcement, visit psychiatric and social welfare institutions. If violations in the implementation of the Act or violation of due professional care are determined, the Commission is obliged, without delay and at the latest

within 15 days from the determined violation, to inform the competent state authority and the competent chamber of this for the purpose of undertaking prescribed measures.

Living independently and being included in the community (art. 19)

Reply to the issues raised in paragraph 22 of the list of issues

87. One of the most significant projects that the then Ministry of Family, Veterans' Affairs and Intergenerational Solidarity implemented in the period between 2006 and 2011, in cooperation with disability associations, was ensuring the service of the personal assistants for persons with the most severe type and degree of disabilities. In 2011, in the sixth year of the implementation of this project, the service was ensured for 550 beneficiaries in cooperation with 78 disability associations, for which funds in the amount of HRK 25,310,854.21 were provided (HRK 12,706,312.06 from the State Budget and HRK 12,604,542.15 from a part of revenues from games of chance). For the purpose of a more intensive inclusion of children with developmental difficulties as well as young and adult persons with disabilities into community life, the Ministry of Social Policy and Youth, as the legal successor of the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity, has continued to stimulate and financially assist the development of community-based assistance services. In 2012, the most difficult recession year, the Ministry of Social Policy and Youth found ways to increase the number of beneficiaries of these services and for persons with the most difficult types and degrees of disability it ensured additional 80 personal assistants, bringing the total number of employed assistants to 631 (551 beneficiaries in 2011). For children with developmental difficulties involved in the regular educational system, 147 teaching assistants were ensured (an increase of 31 compared to 2011), and 52 sign language interpreters (an increase of 20 compared to the previous year), taking into account the regional uniformity of service providers. For this purpose, a total of HRK 35,743,884.79 was spent, much more than in 2011. For the purpose of ensuring the sustainability of the services in 2013, for the first time three-year programmes were approved, and in 2013, for the first year of the implementation, in cooperation with a total of 121 disability associations, a total of HRK 36,256,516.79 was ensured for 631 beneficiaries of personal assistance services, 52 sign language interpreters and 16 assistants to the blind and visually impaired. In 2014 (the second year of implementation) HRK 36,676,060.00 was ensured for 631 beneficiaries of the personal assistance service, 16 assistants to the blind and visually impaired and 52 sign language interpreters. With the goal of further developing the social services and increasing the number of beneficiaries of the personal assistance service as well as ensuring the availability of the service to all beneficiary groups, this year associations will be able to register new potential beneficiaries of the service through projects within the Call for project proposals "Improving labour market access of disadvantaged persons" – ESF, within the Operational Program for Human Resource Development 2007-2013, co-financed from ESF funds. The priority of the grant allocation programme is to contribute to the greater social inclusion of persons with the most severe types and degrees of disabilities and to improve the quality of their everyday life. The total value of the project is EUR 3,500,000.00, and the announcement of the call for proposals is planned for December of 2014.

Reply to the issues raised in paragraph 23 of the list of issues

88. Following the analysis of individual plans prepared by social welfare homes pursuant to obligations from the Plan for the Deinstitutionalization and Transformation of Social Welfare Homes and Other Legal Entities Performing Social Welfare Activities in the Republic of Croatia 2011-2016 (2018), the Ministry of Social Policy and Youth commenced the preparation of the Operational plan for the Deinstitutionalization and

Transformation of Social Welfare Homes and Other Legal Entities Performing Social Welfare Activities in the Republic Of Croatia 2014-2016. The Operational Plan for the Deinstitutionalization and Transformation of Social Welfare Homes and other Legal Entities performing Social Welfare Activities in the Republic Of Croatia 2014-2016 was accepted on 18 June 2014 with the purpose of intensifying the deinstitutionalization process. The introductory part of the Operational Plan explains the need for the intensification of the process, its establishment, examples of good practices in the Republic of Croatia; the usage possibilities of EU funds for the purpose of securing additional required resources for the effective implementation of the process; and the necessity and importance of cooperation with other stakeholders in the process. The process of deinstitutionalization and transformation of homes is divided into three mutually conditioned sections which must run in parallel in order to achieve the expected results with respect to the present state regarding the number of beneficiaries in social welfare homes and the availability of community-based services, namely: the deinstitutionalization process, the transformation process and the process of preventing institutionalisation, and the development of community-based non-institutional services and support services. The above processes have been defined through 5 measures and 37 corresponding activities which will be coordinated by the *National team* for planning, managing and coordinating the implementation of the process. The Operational Plan primarily includes 32 homes (founded by the Republic of Croatia) which were educated and prepared with a consortium for the inclusion in the transformation and deinstitutionalisation process within the IPA project entitled "*Social Welfare* System *Support* in the *Process* of Further Deinstitutionalisation of Social *Services*". Out of a total of 32 priority homes included in the Operational Plan, 18 of them refer to persons with disabilities, 9 are homes for persons with disabilities and 9 are homes for mentally ill adults. The Operational Plan singles out the inclusion of remaining homes in the deinstitutionalisation and transformation process as a special activity which refers to the preparation of the plan for the transformation and deinstitutionalization of other homes and other legal entities performing social welfare activities with a clearly defined activity flow chart. The implementation of the above Operational Plan by the end of 2016 envisages the transformation of 32 homes into centres for the provision of community-based services in different counties according to different beneficiary groups' needs, the development of community-based support services taking into account regional uniformity and the deinstitutionalization of a total of 1,043 beneficiaries who will exercise the right to community life by the end of 2016. Beneficiaries who require long-term intensive care will be provided with this service by the homes based on estimates made by expert teams in accordance with individual beneficiaries' needs. The most important stakeholders have been introduced to the Operational Plan through 4 regional conferences and it was presented to the Commission of the Government of the Republic of Croatia for Persons with Disabilities, after which it was published on the official website of the Ministry of Social Policy and Youth. The process of deinstitutionalization of persons with disabilities in the Republic of Croatia started in 1997 and the implementation of this policy has achieved significant progress in the last few years. From 1997 to this day, a total of 705 beneficiaries who have exercised the right to community life have been deinstitutionalized. 397 of those beneficiaries have been included in the programme of assisted living in the period between 1 January 2012 and the present day. The service of assisted living is provided by social welfare homes for 304 beneficiaries, and 401 beneficiaries are provided with the above service by non-governmental organisations. An intensification of the deinstitutionalisation process and the active inclusion of all homes, and especially those founded by the Republic of Croatia, is expected in the following period.

89. One of the key factors affecting the success of the deinstitutionalisation process refers to the expansion of a network of various services, with particular emphasis on the institutionalization prevention programme. The development of various community-based

services, as well as a great number of programmes and projects of non-governmental organisations, are supported in order to achieve a more intensive inclusion of children with developmental difficulties and young people and adult persons with disabilities in community life. The following overview demonstrates the overall funds spent for this purpose on a national, county and local level:

2011

National level:

(a) A total amount of HRK 117,742,933.94 was allocated for the programme area Support for Persons with Disabilities, Persons with Special Needs and Socially Deprived Groups;

(b) Persons with disabilities are mentioned as a direct beneficiary group in 405 projects/programmes, financed in the amount of HRK 70,967,911.69. Persons with disabilities are mentioned as an indirect beneficiary group in 116 additional projects/programmes, financed in the amount of HRK 23,521,093.61.

County level:

(a) A total amount of HRK 11,339,434.29 was allocated for the programme area Support for Persons with Disabilities, Persons with Special Needs and Socially Deprived Groups;

(b) Persons with disabilities are mentioned as a direct beneficiary group in 316 projects/programmes, financed in the amount of HRK 5,476,361.96. Persons with disabilities are mentioned as an indirect beneficiary group in 243 additional projects/programmes, financed in the amount of HRK 4,974,982.00.

City level:

(a) A total amount of HRK 7,293,518.53 was allocated for the programme area Support for Persons with Disabilities, Persons with Special Needs and Disadvantaged Groups;

(b) Persons with disabilities are mentioned as a direct beneficiary group in 153 projects/programmes, financed in the amount of HRK 4,280,075.83. Persons with disabilities are mentioned as an indirect beneficiary group in 76 additional projects/programmes, financed in the amount of HRK 5,886,493.50.

2012

National level:

(a) A total amount of HRK 101,388,449.89 was allocated for the programme area Support for Persons with Disabilities, Persons with Special Needs and Disadvantaged Groups;

(b) Persons with disabilities are mentioned as a direct beneficiary group in 318 projects/programmes, financed in the amount of HRK 64,767,407.83. Persons with disabilities are mentioned as an indirect beneficiary group in 43 additional projects/programmes, financed in the amount of HRK 34,037,420.98.

County level:

(a) A total amount of HRK 11,923,741.66 was allocated for the programme area Support for Persons with Disabilities, Persons with Special Needs and Disadvantaged Groups;

(b) Persons with disabilities are mentioned as a direct beneficiary group in 252 projects/programmes, financed in the amount of HRK 11,457,518.29. Persons with disabilities are mentioned as an indirect beneficiary group in 68 additional projects/programmes, which have been financed in the amount of HRK 592,645.32.

City level:

A total amount of HRK 15,145,175.92 was allocated for the programme area Support for Persons with Disabilities, Persons with Special Needs and Disadvantaged Groups.

2013

National level:

(a) A total amount of HRK 106,241,215.00 was allocated for the programme area Support for Persons with Disabilities, Persons with Special Needs and Disadvantaged Groups;

(b) Persons with disabilities are mentioned as a direct beneficiary group in 265 projects/programmes, financed in the amount of HRK 60,020,903.51. Persons with disabilities are mentioned as an indirect beneficiary group in 209 additional projects/programmes, financed in the amount of HRK 58,148,289.61.

90. Data for the local level in 2013 is still being processed, and the collection of data for 2014 starts at the beginning of 2015. The Office for Cooperation with NGOs of the Government of the Republic of Croatia consolidates the above-mentioned data every year and announces it on its official website.

91. The Ministry of Social Policy and Youth in cooperation with the Government Office for Cooperation with Non-Governmental Organizations and the National Foundation for Civil Society Development prepared the Criteria for the Awarding of Institutional Grants for the Activities and Development of Disability Associations and national unions of disability associations. Institutional support represents a specific form of grant allocation which the Ministry in cooperation with the National Foundation for Civil Society Development aims to invest in the organisational development and activity of associations and alliances of disability associations registered in the Republic of Croatia and in this way try to ensure the sustainability of the activities of these associations'. Tenders for the awarding of institutional grants in the following period (from 2014) will be implemented by the National Foundation for Civil Society Development for a three year period with the aim of ensuring the sustainability of disability associations and alliances' activity.

92. Funds are regularly allocated for the service of class assistants in order to increase the inclusion of children with developmental difficulties in the regular educational system. A total number of 455 class assistants were ensured at the level of the Republic of Croatia in the school year 2012/2013. Class assistants were financed from three sources: from local and regional (regional) self-government units' budgets, from the employment promotion measures established by the Ministry of Labour and Pension System and carried out by the Croatian Employment Service, and from games of chance via associations from the positions of the Ministry Of Social Policy and Youth.

93. The Ministry of Science, Education and Sport is entrusted with ensuring assistants in the school year 2013/2014 for the purpose of continuing the service of class assistance. Funding sources remained the same as in the previous school year and 892 class assistants were ensured for 906 children. For the current school year 2014/2015, the Ministry of Science, Education and Sports ensured the work of a total of 1,353 class assistants for 1,420 students with developmental difficulties and funds in the total amount of HRK 57,315,868.24 or approx. EUR 7,500,000.00 were secured for this purpose, funded from the European Social Fund and partly from the funds raised from the revenues of games of chance.

94. The development of adequate community support services is exceptionally important for the successful implementation of the deinstitutionalization policy and it has been emphasized as a significant area of social planning on the national and local level.

Freedom of expression and opinion, access to information (art. 21)

Reply to the issues raised in paragraph 24 of the list of issues

95. The Government of the Republic of Croatia has started a project meant to enable and consolidate the online communication of the citizens with the public sector in 2014, via an Internet portal which will integrate information about the work of the Government and ministries and information about public services, and enable safe access to electronic services through the use of an electronic identity by means of one or more acceptable forms of authorisation for electronic identification (e.g. user name/password, token, digital certificate and so forth). The e-Citizens project is implemented through three main integral parts, which form the joint infrastructure of the public sector: the Central Government Portal System, the National Identification and Authentication System and the Personal User Account System. The Central Government Portal is the project of the Government of the Republic of Croatia for the consolidation of information about public services and information and documents concerning policy implementation in one place with all of the information available in easily accessible formats. The National Identification and Authentication System is an information technology system for the central identification and authentication of electronic public service users, and the Personal User Account System represents the actualization of access to personal information which the public sector wishes to give to its citizens (e.g. information about personal issues or information about the electronic exchange of personal information). The Personal User Account is meant to achieve faster, clearer and more effective communication between citizens and the state administration, which would reduce waiting lines at counters and finally represent the first step towards the reduction of current paperwork. The e-Citizens system was presented to the public on 10 June 2014, and almost 70,000 citizens have entered the system since the beginning of its operation. The electronic services which are currently included in the e-Citizens system make it possible to: request electronic birth or marriage certificates, check one's registration in the voters' register, get information on the school grades of one's child (the list of schools in the e-Class Registry), check one's chosen doctor; order the European Health Insurance Card; request one's electronic certificate of employment; get information about the expected pension rate; register as a potential employee; check paid contributions in the second pension insurance pillar; obtain certificates from the Central Registry of Insured Persons; check one's tax book card; check one's data in the Personal Identification Number system or edit one's electronic identity. The most frequently used service in the e-Citizens system is the Personal User Account e-service, which has recorded more than 140,000 registrations. A total of 32,037 users have opened personal accounts which enable them to receive personal information and messages sent by public administration bodies. The development of e-services is to continue in the following period in accordance with the Digital Development Strategy, which will be prepared during the first half of the following

year. The e-Citizens project has been adapted to suit persons with disabilities in the part of the Central Government Portal, which includes the preparation of guidelines and a universal content management system for websites of various state administration bodies: the Government of the Republic of Croatia, the Government of the Republic of Croatia's offices, ministries, State Offices. The integration and modernisation of the contents of the existing portals of the Government of the Republic of Croatia and Mojauprava have also been carried out. Functionalities currently available are a larger font and availability adjustment for weak-sighted persons.

Reply to the issues raised in paragraph 25 of the list of issues

96. During 2013, the Ministry of Social Policy and Youth prepared the drafts of the Act on the Croatian Sign Language and Other Communication Systems of Deaf and Deaf-blind Persons in the Republic of Croatia and for the first time this Act will ensure the right to the use of the Croatian sign language and others communication systems for deaf and deaf-blind persons. The Act on the Croatian Sign Language and Other Communication Systems of Deaf and Deaf-blind Persons in the Republic Of Croatia provides the deaf and deaf-blind persons' with the right to use, exchange information and receive education in the Croatian sign language and other communication systems of deaf and deaf-blind persons appropriate to their individual needs, for the purpose of equalizing the accessibility to the social, economic and cultural environment and enabling the equal achievement of all human rights and fundamental freedoms. The proposed legal decision enables the recipients of these rights the use of all forms of support in view of professional communication mediators in all life situations and before all state administration bodies, local and regional self-government units and legal entities with public authority in which deafness and deaf-blindness might represent obstacles for the equalization of possibilities of action and rights. The Act is in the process of adoption.

Respect for home and the family (art. 23)

Reply to the issues raised in paragraph 26 of the list of issues

97. During 2011, the Ministry of Social Policy and Youth, i.e. its legal predecessor the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity, implemented the education of professionals in family centres under the title "Providing support for young and adult persons with disabilities in the realisation of sexually-reproductive rights and roles" in cooperation with Prof. Daniela Bratković, Ph.D from the Faculty of Education and Rehabilitation Sciences at the University of Zagreb. The implementation of the aforementioned educational activities included the following objectives: the education of family centre employees for the provision of professional advisory help in this area, raising and educating children with developmental difficulties and young people with disabilities for partner and family roles, the development of the awareness of the need for life-long education for the role of a competent parent and ensuring the availability of information to children with developmental difficulties, young people and adults with disabilities and their respective families. Furthermore, the Ministry printed the Guide "Support for Persons with Intellectual and other Developmental Difficulties in the Realisation of Partnership, Parenthood and other Rights in the Area of Sexuality" by Prof. Daniela Bratković, Ph.D. The Guide's objectives included: ensuring the availability of information to children with developmental difficulties, young people and adult persons with disabilities and their respective families, raising and educating children with developmental difficulties and young people with disabilities for the realisation of partner and family roles, developing the awareness of the need for life-long education for the role of competent parent and ensuring that qualified employees of family centres are provided with educational guides. Also, during 2012, 2013 and 2014, the Ministry of Social Policy and Youth and the Ministry of

Science, Education and Sports financed several projects organized by the Zagreb Down Syndrome Association within which Prof. Daniela Bratković, Ph.D., supervised the implementation of workshops related to the development of social competence and the sex education of children, young people and adult persons with Down syndrome, beneficiaries of the Association. In the previous period, she also held group advisory-educational workshops in the above Association for parents of children with Down syndrome with the purpose of developing a better understanding of their children's sex development, needs and rights, as well as instructions for the appropriate procedure concerning the sexual upbringing and educational activities in everyday life. A number of individual lectures and workshops on similar subjects have also been held in other associations for persons with disabilities. The Ministry of Social Policy and Youth provides continued financial support to programmes and projects created by associations for persons with disabilities, which periodically hold educational activities on the subject of sexuality of persons with intellectual and other developmental difficulties.

Education (art. 24)

Reply to the issues raised in paragraph 27 of the list of issues

98. The National Pedagogical Standards prescribe the standards for all educational institutions in the Republic of Croatia, but the attained standards depend on the level of development of particular units of local and regional self-government, which are the founders of preschool, primary-school and secondary-school institutions, which also refers to other areas of social life. Ensuring programme and professional support and financial resources for the adjusted mode of transport and the employment of class assistants enabled the education of students with development difficulties in the environment in which they live. In the school year 2013/2014, the total number of primary-school students (330,455) included 18,385 (5.56%) students with developmental difficulties. Of those 18,385, 15,607 (4.79%) students with developmental difficulties were included in regular schools where classes were attended by 327,895 students. This number includes 7,487 (2.28%) students with an individualised approach to teaching, while 8,121 (2.48%) students are attending classes based on an adapted curriculum. Annex 2 provides an overview of integrated students with disabilities in regular class units in school year 2013/2014 (857 schools) by county. Annex 3 provides a graphic representation of students with disabilities who are completely integrated in regular class units. Children with disabilities have equal rights as other children, but additional care is recognised in strategic documents for children and persons with disabilities. For the purpose of achieving the principle ''school for everybody'', the educational system is continuously modified in order to be available to everyone. New regulations related to helping children with developmental difficulties regulate: the functioning of the mobile service for counselling at special training and education centres; obligations on a local level which include material and professional support and working programmes for students with developmental difficulties. Currently a new Ordinance on Primary and Secondary-school Education and the Education of Students with Disabilities is being drafted, as well as the Ordinance on Class Assistants and Professional Communication Mediators. The Ordinances define the appropriate programmes and forms of upbringing and education and forms of support for students with disabilities. The adoption of the above secondary legislation enables uniform coverage in the entire Republic of Croatia by means of inclusive education of children with developmental difficulties.

99. Up until now, 7% of the 2,119 primary-school facilities in the Republic of Croatia have been fully adapted, and 26% of the objects have been partly adapted. 40% of primary-school facilities have an adapted entrance to the school building. Elevators or platforms have been installed in 10% of multileveled facilities in order to enable the students' free

movement between floors. Access without obstacles in ensured in 55% of school sports halls. In accordance with needs, the Ministry is implementing the project "Networks of Schools without Architectural Barriers", which aims to achieve spatial adjustments in a sufficient number of schools in every county for the purpose of ensuring equal availability of education for students with more severe motor difficulties. The interactive satellite map of Croatia includes the *e-Map of Educational Institutions in the Republic of Croatia* which contains detailed data for more than 2,700 educational institutions.

Health (art. 25)

Reply to the issues raised in paragraph 28 of the list of issues

100. Persons with disabilities insured under the compulsory health insurance of the Republic of Croatia realise all the rights inherent in the compulsory health insurance, to the same extent, quality and standard as other insured persons, without discrimination on any basis. A person with disabilities without compulsory health insurance in the Republic of Croatia cannot realise the rights within compulsory health insurance charged to the funds of compulsory health insurance (the same as other persons not insured under the compulsory health insurance of the Republic of Croatia). In such instances, attempts are made to find a method for the acquisition of status in the compulsory health insurance of the Republic of Croatia, therefore persons who reside, i.e. have permanent residence in the Republic of Croatia, and who are incapable of independent life and work and do not possess the funds to support themselves, are entitled to compulsory health insurance the same as insured persons based on a decision reached by the state administration office competent for social welfare activities, if those same persons cannot realise the right to compulsory health insurance on another basis. Furthermore, the right to health insurance in the above case lasts until there is a change in the circumstances based on which the right has been recognized.

Reply to the issues raised in paragraph 29 of the list of issues

101. Persons living in rural areas and areas distant from bigger towns can freely carry out primary health care (by means of chosen physicians of primary health care of general (family) medicine, gynaecology, paediatrics and dental medicine) due to the well-placed primary health care network. On the other hand, if consultative specialist protection and hospital health protection are necessary, every insured person, including persons with disabilities, can be referred for treatment, or the execution of a certain medical service depending on their health needs and medical indications, in the place of the contractual medical institution which can provide the necessary treatment and corresponding health services, whereupon the Croatian Institute for Health Insurance reimburses travel expenses incurred in the course of the treatment to the charge of funds of compulsory health insurance.

Work and employment (art. 27)

Reply to the issues raised in paragraph 30 of the list of issues

102. A new Act on Vocational Rehabilitation and Employment of Persons with Disabilities (hereinafter: Act) has been adopted and it entered into force on 1 January 2014, and full implementation of the Act is expected from 1 January 2015. The aim of this Act is to increase the employability of persons with disabilities and create conditions so that they can participate equally in the labour market, primarily by establishing a quality and unified vocational rehabilitation system and by defining measures and incentives to employ persons

with disabilities. The Act specifies a series of measures and activities in vocational rehabilitation, and introduces as a novelty procurers of vocational rehabilitation services that are also obliged to finance the service. The method and conditions of the implementation of the vocational rehabilitation will be regulated in a contract concluded by the procurer of the service and the vocational rehabilitation centre or a vocational rehabilitation institution. In the transitional period of the implementation of the Act, it has been envisaged that regional centres will become operational on 1 January 2015, taking into consideration the option of using the existing infrastructure. The establishment of regional centres will ensure territorial coverage and the availability of centres to potential beneficiaries of vocational rehabilitation. The model of vocational rehabilitation to be carried out in the centres has been designed in cooperation with partners from Austria (BBRZ – Berufliches Bildungs und Rehabilitationszentrum from Linz) as part of the "Professional Rehabilitation as a Method for Integrating Persons with Disabilities in the Croatian Labour Market" project, and it includes a comprehensive approach, a detailed assessment of competences and the strengthening of competences of persons with disabilities, while taking into consideration the rules of the open labour market. Regarding the employment of persons with disabilities, the new Act envisages the employment of persons with disabilities on the open labour market and under special conditions, with the obligation for the employer to ensure a reasonable adjustment pursuant to the Council Directive 1000/78/EC of 27 November establishing a general framework for equal treatment in employment and occupation. The following models have been developed on the open labour market: employment without financial support and professional assistance when a person is fully trained to work at a specific workplace, employment with financial support, employment with professional assistance in order to overcome difficulties related to disabilities, employment with financial support and professional assistance.

103. Under special conditions, persons with disabilities can be employed in integrative and sheltered workshops, or in institutions or companies established for the employment of such persons. The basic difference between integrative and sheltered workshops is, in addition to the percentage of employees which is 51% for sheltered and 40% for integrative workshops, that integrative workshops employ only those persons that cannot be employed on the open labour market, and sheltered workshops employ those persons who cannot be employed in integrative workshops, i.e. who require an even greater degree of support.

104. The biggest innovation is the introduction of an obligatory quota of employed persons with disabilities for **all employers** who employ at least 20 workers, and not only for the public sector, as prescribed by the previous Act. The quota is in the range from 2 to 6%, depending on the total number of employees and the activity carried out by the employers. The option of using a replacement quota is prescribed, enabling the employers to: accept pupils with difficulties, students with disabilities and rehabilitants, accept persons with disabilities to vocational training without commencing employment, award scholarships for regular education of persons with disabilities, conclude a business cooperation contract with self-employed persons with disabilities. The employers are obliged to meet the quota by no later than 1 January 2015, otherwise they will be obliged to pay a compensation amounting to 30% of the minimum wage, per month, for each person with disabilities that the employer was obliged to employ. The Act also prescribes the option of rewarding employers who are not obliged to employ to meet the employment quota but still employ persons with disabilities, or employers who employ more persons with disabilities than the prescribed quota. Employers employing persons with disabilities or self-employed persons with disabilities can also receive reliefs and incentives: the right to tax reliefs prescribed in special regulations, the right to incentives prescribed in a special contract on employing persons with disabilities concluded with the Croatian Employment Service, the competent social welfare service, a local and regional self-government unit or with another employer, and the right to incentives when employing persons with disabilities

ensured by the Institute for Expert Examination, Vocational Rehabilitation and Employment of Persons with Disabilities (the legal successor of the Fund for Vocational Rehabilitation and Employment of Persons with Disabilities).

105. The following data shows positive trends in the field of the employment of persons with disabilities. In 2013, there were 6,789 persons with disabilities registered in the records of the Croatian Employment Service, i.e. 1.9% of the total number of unemployed persons. The data for 2013 shows positive trends compared to 2012; new employment for persons with disabilities was increased by 9.5%, and new unemployment was reduced by 4.2%. Also, 1,744 persons with disabilities were employed during 2013, significantly more than in the previous year. A positive trend in the employment of persons with disabilities can be linked to the effects of the active employment policy measures and to the increased investments of all stakeholders involved to employ persons with disabilities on the labour market. During 2013, 1,076 persons with disabilities were included in some of the active employment policy measures. Compared to the data for 2012, there has been an increase of 38.1% for the number of involved persons with disabilities.

106. Ministry of Entrepreneurship and Crafts in the period 2012-2014 implemented Program of incentives for SMEs and Crafts "Entrepreneurial Impulse", a key document for small business support and development. Program was implemented through grant schemes which source is the State budget and based on the the EU and national rules and regulations on state aid. The system of incentives comprise measures and activities in regard to improving the economic performance, better financing possibilities, supporting the establishment of new enterprises, improvement of entrepreneurial skills and improvements in business in order to contribute to a more equitable and balanced development across Croatia's regions. Measures encompass social entrepreneurship and social cooperatives. National Programmes were implemented in defined processes consisting of sub processes of public tendering, evaluation and assessment of received requests, approval of grants and are opened equally and publicly to all entrepreneurs. In the Programmes development MEC take into consideration relevant national policy documents (i.e. on target groups in society: women, youth, ethnic minorities, Roma), for people with disabilities National Strategy on equalization of opportunities 2007-2015. The named special groups in society as well as people with disabilities were awarded with preferential points in the process of approval/assessment of requests and additional points depending on Development index.

Adequate standard of living and social protection (art. 28)

Reply to the issues raised in paragraph 31 of the list of issues

107. As a result of the economic crisis, as well as in context of the significantly reduced financial capacities, attempts have been made to maintain an adequate level of activities of all institutions dealing with the protection of rights of persons with disabilities in all areas of importance for persons with disabilities.

108. The number of employers, as well as the number of persons with disabilities having incentives paid by the Institute for Expert Examination, Vocational Rehabilitation and Employment of Persons with Disabilities has also recorded year-on-year growth. Although the budget of the Institute has been reduced several times as a result of the financial crisis and austerity measures, savings have not been made on incentives for employment of persons with disabilities, and the Institute's funds for this purpose were sufficient. According to the latest data, a total of HRK 24,364,598.02 has been paid in 2013 to 408 employers and 1,349 employed persons with disabilities. The Institute continuously informs the employers about the possibilities of using the incentives by means of printed materials, participation in specialised television and radio shows, participation at expert meetings etc. Besides paying incentives to persons with disabilities, the Institute continuously carries out

public awareness activities on the employment of persons with disabilities on the open labour market, and every year it participates in "Employer of the year for persons with disabilities" award ceremony.

109. Rather than being reduced, funds for financing the programmes and projects of non-governmental organisations active in the area of care for persons with disabilities have increased. For example, the amount granted was HRK 87.4 million in 2010, HRK 117.7 million in 2011, HRK 101.3 million in 2012 and HRK 106.2 million in 2013 – more than HRK 413 million in total during the 2010-2013 period.

110. As indicated in previous replies, rights and services in the social welfare system have also not been reduced in spite of the economic crisis, meaning the number of personal assistants, interpreters/translators of Croatian sign language and assistants to the blind and visually impaired has not been reduced. Furthermore, the number of beneficiaries of the right to the status of parent-caregiver/caregiver has continuously been rising as well. Additional funds have been ensured for personal disability allowance in the full amount for all beneficiaries (considering that the personal disability allowance in the reduced amount has been abolished by new Social Welfare Act). Services for children with developmental difficulties in the educational system have also not been reduced, which is also evident from the increase in the number of class assistants.

111. According to the Act on the Rights of Croatian Homeland War Veterans and their Family Members, the right to housing care is being continuously carried out, and the number of beneficiaries or funds for this purpose has not been reduced. As a result of the financial crisis, and having in mind reduced creditworthiness of Homeland War veterans with disabilities, the measure of housing care via the public lease has been introduced for war veterans.

112. Certain efforts have also been made within the prison system in order to improve the conditions for prisoners with disabilities.

Participation in political and public life (art. 29)

Reply to the issues raised in paragraph 32 of the list of issues

113. In December of 2012, the Croatian Parliament adopted the new Voters Register Act, which allowed persons deprived of their legal capacity to be registered in the voters register and to exercise their right to vote. The authority competent for the implementation of this Act was the Ministry of Administration. The amendments to this Act regarding the right to vote were initiated by the Ministry of Social Policy and Youth, which recognised the importance to separate the right to vote from the fact that a person has been deprived of legal capacity, in cooperation with GONG (non-governmental organisation founded in 1997 to encourage citizens to more active participation in political processes) and the Office of the Ombudsperson for Persons with Disabilities. With the new Voters Register Act, more than 16,000 persons deprived of legal capacity have been made equal with other citizens who have the right to vote. In order for all persons in institutions to be able to realise their right to vote during the forthcoming elections, a series of activities have been undertaken (telephone and e-mail support, cooperation with media and distribution of informative leaflets). The Ministry of Social Policy and Youth has ensured that beneficiaries of accommodation service in social welfare institutions can exercise their right to vote for the elections for members of the European Parliament from the Republic of Croatia held in April 2013, the local elections in May of 2013 and at the state referendum held in December 2013. The Ministry of Social Policy and Youth has undertaken all required preparatory works and prepared the instructions for particular categories of accommodation service providers.

114. Before the first elections at which voting was also made possible for persons deprived of legal capacity (April 2013), the Ministry of Social Policy and Youth issued a decision on the establishment of poll stations for voters accommodated in social welfare institutions, and thus the persons deprived of legal capacity exercised their right to vote in social welfare institutions for the first time. Poll stations have not been established in all institutions, but in 13 of them, based on two criteria: greater number of beneficiaries and/or physical dispersion from regular poll stations. Beneficiaries of all other social welfare institutions could exercise their right to vote at regular poll stations nearby the institution. In 13 homes with a total of 2,400 beneficiaries, 568 have voted, out of 612 of them registered to vote. In order for all beneficiaries of social welfare system services to be able to exercise their right to vote at the elections for members of the European Parliament from the Republic of Croatia (April 2013), the Ministry of Social Policy has prepared several instructions for various categories of service providers: social welfare homes, family homes and other accommodation service providers. Also, all social welfare centres in the Republic of Croatia have been instructed on the procedures with respect to foster families, as well as the instructions on the necessity to verify whether beneficiaries deprived of legal capacity have been registered in the register of voters. All instructions regarding the participation of beneficiaries of accommodation service in the social welfare system in the elections have been distributed to service providers and social welfare centres, but have also been made publicly available at the website of the Ministry of Social Policy and Youth. Besides the above instructions, a promotional leaflet by the State Electoral Commission containing the information on the elections for members of the European Parliament has been distributed to all institutions providing accommodation service as well as to the representatives of foster families and social welfare centres, in addition to leaflets prepared in cooperation with GONG and the Self-Advocacy Association, an NGO promoting the right of persons deprived of legal capacity to vote.

115. Acts regulating the elections in the Republic of Croatia (parliamentary elections, local elections, elections for the president of the Republic of Croatia, elections for members of the European Parliament, etc.) prescribe that voters who are unable to vote independently due to their disability can exercise their right with the aid of another person who shall, based on his/her empowerment and instruction, circle the number in front of the name of list or the name of candidate for whom the voter votes. It is also prescribed that voters who are unable to get to the poll station shall be enabled voting at the location of their residence, in such a way that the board chairman shall appoint two members of the electoral committee or the deputy who shall visit the voters at the location of their residence and enable voting for them, while taking into account the secrecy of voting at the same time. With the latest amendments to the Act regarding the elections for members of the European Parliament from the Republic of Croatia in 2013, voting was enabled for blind persons with the aid of another person (attendant) or a matrix for independent voting, which allowed for the independent voting of illiterate blind persons, which was not possible before. For the purpose of the equal participation of persons with disabilities in exercising their right to vote, all units of regional self-government are obliged to provide the required procedural adjustments during elections.

116. With the new Associations Act, which entered into force on 1 October 2014, natural persons with legal capacity who have not been deprived of their legal capacity regarding the conclusion of legal transactions are allowed to independently establish associations. Adult persons deprived of legal capacity regarding the conclusion of legal transactions are also allowed to establish associations, but only with the certified consent from their legal representative or guardian. The same Act prescribes that adult persons deprived of legal capacity have the right to participate in the general assembly (the highest body of the association) and to make decisions in the assembly, in the manner regulated by the Charter.

Participation in cultural life, recreation, leisure and sport (art. 30)

Reply to the issues raised in paragraph 33 of the list of issues

117. An initiative has been launched in the Republic of Croatia to sign the Marrakesh Treaty, under the competence of the State Intellectual Property Office. The initiative is also supported by disability associations and its importance has also been recognised by the Croatian Library Association.

Reply to the issues raised in paragraph 34 of the list of issues

118. In 2009, the Ministry of Culture has started a program to extend library services to public libraries in bigger towns and cities (Split, Slavonski Brod, Osijek, Rijeka, Pula, Koprivnica, Karlovac) attracting the majority of blind and weak-sighted persons. In these libraries, special computer equipment has been procured for the provision of services to blind and weak-sighted persons. The Ministry of Culture provides funds to procure book and non-book materials in public libraries, but does not influence the procurement plan; the further expansion of the collections with materials adapted to persons with disabilities depends on the needs of each library. The Ministry also continuously provides assistance to and funds library programmes aiming to promote and ensure the rights of persons with disabilities, finances and co-finances projects, public events and initiatives of associations and institutions that affirm the creative and artistic potentials of persons with disabilities at the international, national and local level, continuously funds the work of the Croatian Library for the Blind and the round table for library services for persons with disabilities. Beneficiaries of the Croatian Library for the Blind are blind and weak-sighted persons, as well as all persons who are unable to read standard print for any reason, and the library cooperates with other public libraries by presenting its work and fund through joint actions of extending library services for blind and weak-sighted persons. For the most part, the books are sent to the beneficiaries by mail or delivered by car upon their telephone call. For the purpose of a better level of education and informing of blind and weak-sighted persons, the Ministry of Culture also co-finances special programmes of the Croatian Library for the Blind. Employees of the Croatian Library for the Blind, the Croatian Library Association and public libraries are competent persons who provide free access to knowledge resources and information to all categories of beneficiaries, including persons with disabilities, for the purpose of their equal inclusion in the community. The percentage of support to library services for persons with disabilities as compared to the total amount for actions/events and development programmes in library operations amounted to 5% in 2012, 5.9% in 2013 and 4.2% in 2014. The number of co-financed programmes depends only on the number and quality of submitted programmes. At the 11th round table for library services for persons with disabilities titled "Convention on the Rights of Persons with Disabilities – application in libraries in Croatia in light of EU membership" by the Croatian Library Association, the conclusion was made that there is a need to sign the Marrakesh Treaty and amend the Copyright and Related Rights Act, in such a way that the use of copyright shall also include the persons who are not able to use standard print for any reason (persons with various difficulties in reading and writing or learning, persons with dyslexia, ADHD syndrome, dementia, members of the Roma national minority, etc.), because this right is provided for by the existing article only to persons with disabilities. The exemption to copyright shall be legal entities (libraries for the blind, various associations, non-profit publishers) whose materials are available in a format that is accessible to persons not able to read standard print.

C. Special obligations

Statistics and data collection (art. 31)

Reply to the issues raised in paragraph 35 of the list of issues

119. **Data for 2011** – In Croatia, as of 12 January 2012, there are 518,081 living persons with disabilities, 311,995 of them male (60.2%) and 206,086 female (39.8%).Persons with disabilities make up approximately 12.1% of the total population of the Republic of Croatia. The largest number of persons with disabilities, 284,505 of them (54.9%), is of working age (19-64), while 195,380 of them (37.7%) are aged 65+. Disabilities are also present among children aged 0-19, with a share of 7.4%. The most common types of impairment in persons with disabilities, based on the Act on the Croatian Register of Persons with Disabilities (OG 64/01), are impairments of the locomotor system and mental disorders. In the Republic of Croatia, 27.5% of persons with disabilities have multiple impairments which contribute to the functional impairment of person with disability. The most common causes of impairment of the locomotor system causing disability or contributing to the functional impairment as comorbid diagnosis belong to the group of spinal diseases (M50-M54), while the most common causes of mental disorders causing disability or contributing to the functional impairment as comorbid diagnosis belong to the group of neurotic disorders, stress-related disorders and somatoform disorders (F40-F49).

120. **Data for 2012** – In Croatia, as of 17 January 2013, there are 520,437 living persons with disabilities, 313,217 of them male (60%) and 207,220 female (40%).Persons with disabilities make up approximately 12% of the total population of the Republic of Croatia. The largest number of persons with disabilities, 278,564 of them (53 6%), is of working age (19-64), while 202,607 of them (38.9%) are aged 65+. Disabilities are also present among children aged 0-19, in the share of 7.5%. The most common types of impairment in persons with disabilities, based on the Act on the Croatian Register of Persons with Disabilities (OG 64/01), are impairments of the locomotor system and mental disorders. In the Republic of Croatia, 28.2% of persons with disabilities have multiple impairments which contribute to the functional impairment of person with disability. The most common causes of impairment of the locomotor system causing disability or contributing to the functional impairment as comorbid diagnosis belong to the group of spinal diseases (M50-M54), while the most common causes of mental disorders causing disability or contributing to the functional impairment as comorbid diagnosis belong to the group of neurotic disorders, stress-related disorders and somatoform disorders (F40-F49).

121. **Data for 2013** – In Croatia, as of 30 January 2014, there are 510,274 living persons with disabilities, 308,060 of them male (60%) and 202,214 female (40%). Persons with disabilities make up approximately 12% of the total population of the Republic of Croatia. The largest number of persons with disabilities, 268,803 of them (52.7%), is of working age (19-64), while 199,483 of them (39.1%) are aged 65+. Disabilities are also present among children aged 0-19, in the share of 8.2%. The most common types of impairment in persons with disabilities, based on the Act on the Croatian Register of Persons with Disabilities (OG 64/01), are impairments of the locomotor system and mental disorders. In the Republic of Croatia, 28.2% of persons with disabilities have multiple impairments which contribute to the functional impairment of person with disability. The most common causes of impairment of the locomotor system causing disability or contributing to the functional impairment as comorbid diagnosis belong to the group of spinal diseases (M50-M54), while the most common causes of mental disorders causing disability or contributing to the functional impairment as comorbid diagnosis belong to the group of neurotic disorders, stress-related disorders and somatoform disorders (F40-F49).

Note:

1. For the calculation of total prevalence in the Republic of Croatia and in counties, data from the Register and the results from the Census 2011 have been used.

2. In 2013, a slight decline has been recorded in number of registered living persons with disabilities, due to improved monitoring of data on deceased persons with disabilities.

National implementation and monitoring (art. 33)

Reply to the issues raised in paragraph 36 of the list of issues

122. The Committee for Persons with Disabilities of the Government of the Republic of Croatia performs the following tasks: monitoring of the implementation of the 2007-2015 National Strategy of Equal Opportunities for Persons with Disabilities; monitoring of the implementation of the obligations assumed based on the Act on the Ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of Persons with Disabilities; establishment and reinforcement of partnerships between state administration bodies and civil society organisations in solving existing problems with the purpose of improving the quality of life of persons with disabilities; monitoring the process of the deinstitutionalisation of persons with disabilities in the Republic of Croatia, with special reference to the role of disability associations and associations with programmes for the benefit of persons with disabilities, as well as developing programmes for the prevention of institutionalisation; monitoring the development of international standards, i.e. the work of international and regional organisations in the field of promotion and protection of persons with disabilities; examining the need for and initiating the adoption of adequate regulations for the purpose of equal opportunities for persons with disabilities; discussing and providing opinions on draft Acts and other regulations of interest for improving the quality of life of persons with disabilities and their families, and proposing to the Government of the Republic of Croatia and state administration bodies amendments to Acts and other regulations regarding persons with disabilities; monitoring activities designed for persons with disabilities undertaken by state administration bodies, institutions, religious groups, civil society organisations and other types of organisations, and proposing measures for their more efficient implementation; collecting data and analysing experiences of other countries in the realisation of the rights of persons with disabilities; making proposals for criteria for financing non-governmental organisations of persons with disabilities from the State Budget; monitoring of the implementation of acts referring to the position, protection and rehabilitation of persons with disabilities, warning about disadvantages and proposing measures for their more efficient implementation; initiating assessment of effectiveness of existing measures of legal protection of persons with disabilities and services available to this group of beneficiaries; sensitization of the media about issues concerning persons with disabilities and establishing continued cooperation for the purpose of the systematic presentation of the accomplishments, needs and problems of persons with disabilities, as well as participation of media representatives on Committee sessions; sensitization of the public about problems of persons with disabilities and informing of persons with disabilities about their rights. The Committee is composed of: **representatives of State authorities (15)** – the Ministry of Social Policy and Youth, the Ministry of Health, the Ministry of Science, Education and Sports, the Ministry of Finance, the Ministry of Maritime Affairs, Transport and Infrastructure, the Ministry of Regional Development and EU Funds, the Ministry of Justice, the Ministry of Administration, the Ministry of Construction and Physical Planning, the Ministry of Veterans' Affairs, the Ministry of Foreign and European Affairs, the Ministry of Labour and Pension System, the Ministry of

Economy, the Ministry of Culture, the Government Office for Human Rights and Rights of National Minorities, **representatives of scientific institutions (2)** – College of Social Work at the Faculty of Law of the University of Zagreb and the Faculty of Education and Rehabilitation Sciences of the University of Zagreb and **representatives of disability unions and associations (16)** – the Croatian Union of Associations of Persons with Disabilities, Croatian Blind Union, Croatian Association of the Deaf and Hard of Hearing, Croatian Union of Associations of Persons with Physical Disabilities, Croatian Cerebral Palsy Association, Association of Muscular Dystrophy Societies of Croatia, Croatian Association of Societies for Persons with Mental Retardation, Croatian Association of Societies of Disabled Workers, Association of War Disabled Civilians in Croatia, Croatian Disabled Homeland War Veterans County Association, Union of Associations of War Disabled Civilians in Croatia, Association of Croatian Societies for Autism, Coalition for Community Living, Association of Multiple Sclerosis Societies, Croatian Paraplegic and Tetraplegic Association and Croatian Association for the Deaf-Blind Persons Dodir. Every three months, the Committee holds sessions for the purpose of fulfilling its tasks according to its annual plan and work programme.

123. The Ministry of Social Policy and Youth, as the legal successor of the Ministry of Family, Veterans' Affairs and Intergenerational Solidarity, and the Committee for Persons with Disabilities of the Government of the Republic of Croatia, act as the main coordinators of the implementation of the National Strategy of Equal Opportunities for Persons with Disabilities for the period from 2007 to 2015, the most important national document for Persons with Disabilities based on the Convention on the Rights of Persons with Disabilities. It also coordinates the implementation of the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention.

124. For the purpose of promoting and protecting the rights of persons with disabilities, the Ombudsperson for Persons with Disabilities monitors the harmonisation of acts and other regulations in the Republic of Croatia regarding the protection of rights and interests of persons with disabilities, with provisions of the Constitution of the Republic of Croatia and international documents concerning the protection of rights and interests of persons with disabilities; monitors the fulfilment of the obligations of the Republic of Croatia resulting from international documents concerning the protection of the rights and interests of persons with disabilities; monitors the implementation of policies, national strategies and programmes of the Republic of Croatia concerning the protection of the rights and interests of persons with disabilities; deals with the protection of human rights and fundamental freedoms of persons with disabilities and with the prevention of all forms of discrimination against persons with disabilities; handles cases of violation of the rights of persons with disabilities; informs the public about violations of the rights of persons with disabilities and undertakes activities for the purpose of their prevention, advocates the protection and promotion of rights and interests of persons with disabilities; proposes measures for the creation of a comprehensive system of protection and promotion of rights and interests of persons with disabilities; proposes measures aimed at improvement of quality of life of persons with disabilities; proposes measures aimed at improvement of quality of life of families of persons with disabilities; gathers information and informs the public about condition of rights of persons with disabilities; and performs other activities prescribed by the Disability Ombudsman Act. The Office of the Ombudsman for Persons with Disabilities functions independently and autonomously.